ORDINANCE NO. 11-08-05

AN ORDINANCE OF THE CITY OF RIO VISTA, TEXAS TO PROHIBIT THE DISTURBANCE OF THE PEACE BY UNNECESSARY USE OF AUXILIARY OR COMPRESSION ENGINE BRAKES; PROVIDING FOR A PENALTY NOT TO EXCEED $ 200.00 FOR EACH OFFENSE; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that the use of auxiliary or compression engine brakes, commonly referred to as a "Jacob's Brake" or "Jake Brake," has a negative impact on the public peace, tranquility and welfare, and creates an unnecessary, unreasonable, loud and disturbing noise in the City, and finds that such should be prohibited.

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

SECTION 1 USE OF COMPRESSION BRAKES

The use or operation of an auxiliary or compression engine brake, commonly referred to as a "Jacob's Brake" or "Jake Brake", which produces any noise in addition to the normal operating engine noise, shall be prohibited within the city.

1. This provision shall not be construed to prohibit the use of such braking mechanism by emergency vehicles while in the performance of their official or normal duties.
2. This provision is not intended to prohibit the passage of vehicles equipped with engine or Jake Brakes in posted areas, but rather prohibit the use of such equipment in posted areas.

SECTION 2 PENALTY

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed Two Hundred and No/100 Dollars ($200.00) for each offense.

SECTION 3 SEVERABILITY

That if any section, paragraph, sentence, clause, phrase or word of this ordinance, or application hereof to any person or circumstance, is held invalid by any Court of competent jurisdiction. Such holding shall not affect the validity of the remaining portions of the ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining sections and parts shall remain in full force and effect.

SECTION 5 EMERGENCY AND EFFECTIVE DATE

It being for the public safety and welfare that this Ordinance be passed creates a public necessity and an emergency and thereby any rule requiring additional readings shall be hereby, waived and this reading shall now be in full force and effect from and after its passage, approval and placement of approved signage.

PASSED AND APPROVED this 8TH day of NOVEMBER 2005.

Mayor

ATTEST:

City Secretary

ORDINANCE NO. 93-11-11

AN ORDINANCE REGULATING NOISE WITHIN THE CITY LIMITS OF RIO VISTA, AN DECLARING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY AND PROVIDING FOR A PENALTY.

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

It shall be unlawful for any person to create, or cause any unreasonably loud, disturbing, or unnecessary noise in the city, which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof, is hereby prohibited. Any noise of such character, intensity and continued duration, which substantially interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities, is hereby prohibited.

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

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

Tom C Bijt
Mayor

ATTEST:

Georgia Jones
City Secretary

ORDINANCE NO. 93-16-12

AN ORDINANCE MAKING IT UNLAWFUL FOR ANY PERSON TO PERMIT JUNKED MOTOR VEHICLES OR MACHINERY TO ACCUMULATE ON HIS LOT OR ON ANY STREET; DECLARING THE PRESENCE OF THE SAME A PUBLIC NUISANCE; PROVIDING FOR THE REMOVAL OF THE SAME BY THE CITY, PROVIDING FOR THE FINE; PROVIDING FOR CUMULATIVE PROVISION.

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

(a) It shall be unlawful for any person to allow or permit junked motor vehicles, or junked machinery to accumulate or remain on any lot or premises owned by him, or upon any street or roadway within the City of Rio Vista, Texas. For the purpose of this section, junked motor vehicle means any motor vehicle which does not have lawfully affixed thereto both an unexpired license plate or plates and a valid motor vehicle safety inspection sticker, and the condition of which is one or more of the following: (1) wrecked; (2) dismantled; (3) partially dismantled; (4) inoperative; (5) abandoned; and (6) discarded.

(b) If a junked motor vehicle, as defined in this ordinance, has been situated on the private property of another, without such person's permission for a period of sixty (60) days or longer, this fact shall be prima facie evidence that the owner of such vehicle has abandoned the same.

(c) The presence of junked motor vehicles or junked machinery on any private lot, tract or parcel of land, or portion thereof, or upon any street or roadway within the City of Rio Vista, Texas, shall be deemed a public nuisance.

(d) This section shall not apply to the following: (1) any junked motor vehicle or machinery in an enclosed building; (2) any junked motor vehicle or machinery on the premises of a business enterprise operated in a lawful manner when necessary to the operation of such business enterprise; or (3) any junked motor vehicle or machinery in an appropriate storage place or depository maintained at a location officially designated and in a manner approved by the City of Rio Vista, Texas.

(e) Whenever such public nuisance exists on any premises within the City of Rio Vista, in violation of this article, the Mayor or his duly authorized agent shall notify the owner of the premises or person in possession or control thereof and the occupant of the premises whereon such public nuisance exists to correct, remedy or remove such condition, within 14 days after such notice. It shall be unlawful for the owner, person in possession or control thereof, or occupant of such premises to fail to comply with such notice.

(f) The notice provided for voilation in Subsection (e) shall be served upon the owner of the premises, or person in possession or control thereof, and the occupant by serving him or them personally or by sending three (3) certified letters, return receipt requested, within a 30 day period, addressed to such owner, or person in possession or control thereof, and occupant, at the last known post office address of such owner, or person in possession or control of the premises, and occupant. In the event personal service cannot be made and the address of the owner is unknown, such notice shall be given by publication at least once a week for two (2) consecutive weeks in a newspaper of general circulation published with the County.

(g) In the event the owner and/or occupant of any lot or premises upon which a condition described in this article exists, fails to correct, remedy or remove such condition within 14 days after notice to do so is given in accordance with this article, the City may perform such work as is necessary to correct, remedy or remove such conditions, or cause the same to be done. The expense of performing such work shall be borne by the owner of such premises and such expenses shall be assessed against the real estate upon which the work was done. Nothing contained in this section shall relieve any person from prosecution for failure to comply with such notice in violation of Subsection (e).

(h) In the event the owner of any lot or premises upon which a condition described in this article exists fails to correct, remedy or remove such condition within 14 days after notice to do so has been given in accordance with this article he shall be deemed guilty of a misdemeanor and shall be fined $100.00 a day, not to exceed $500.00 for each offense.

(i) The owner of a junked motor vehicle or junked machinery, as defined in this ordinance, when said junked motor vehicle or junked machinery is situated upon any street or roadway within the City of Rio vista, in violation of this ordinance or any sub-section thereof shall be deemed guilty of a misdemeanor and upon conviction shall be fined an amount not to exceed $500.00.

Passed and Approved this the 16 day of December, 1993.

Tom C Bass
Mayor

Georgia Jones

ORDINANCE NO. 93-11-13

AN ORDINANCE MAKING IT UNLAWFUL FOR ANY PERSON TO DISCHARGE A FIREARM WITHIN THE CITY OF RIO VISTA, DECLARING AN EMERGENCY, PROVIDING A FINE TO BE ASSESSED FOR VIOLATION OF SUCH ORDINANCE AND DECLARING AND EFFECTIVE DATE.

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

DEFINITION OF FIREARM:

HANDGUN - Any firearm that is designed to be fired with one hand, capable of expelling a projectile through the barrell.

SHORT BARRELL FIREARMS - Means a rifle with a barrel length of less than 16" or a shotgun with a barrel length of less than 18", or any weapon made from a shotgun or rifle if, as altered, it has an overall length of less than 26".

RIFLE - Capable of firing center fire cartridge, including .22 cal. short, long or long rifle ammo.

SHOT-GUN - Including all calibers (example, .410, 20 ga., 12 ga. 16 ga., 8 ga., 14 ga.)

It shall be unlawful for a person to discharge a firearm within the incorporated limits of Rio Vista, unless in the following circumstances, to control a vicious dog, under extreme circumstances or life or death circumstance, excluding Peace Officers.

A person, excluding Peace Officers who commit an offense, of discharging of a firearm shall be, upon conviction, subject to a fine not to exceed $500.00 for each offense.

Declaring and Emergency and Declaring and Effective Date.

Passed and Approved this 10th day of March, 1993.

Mayor

Attest:

City Secretary

APPROVED:

MAYOR SAM BIGHAM

ATTEST:

CITY SECRETARY GEORGIA JONES

Loitering on City Pavilion

ORDINANCE NO. 72

AN ORDINANCE PROVIDING FOR THE REGULATION OF THE LOITERING ON THE CITY PAVILION; PROVIDING FOR AN EFFECT DATE AND PROVIDING A PENALTY FOR THE VIOLATION THEREOF AND DECLARING AND EMERGENCY.

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

SECTIONI: DEFINITION: As used in this section, "loitering" shall mean remaining idle in essentially one location and shall include the concepts of spending time loafing, or walking about aimlessly, and shall also include the colloquial expression "hanging around."

SECTION II: Place of no loitering shall be the City Pavilion or square, any parking area around the pavilion, any City Street around the pavilion.

SECTION III. Certain types of loitering prohibited. No person shall loiter in a public place in such manner as to:

(1) Create or cause to be created a danger of a breach of the peace;

(2) Create or cause to be created any disturbance or annoyance to the comfort and repose of any person;

(3) Obstruct the free passage of pedestrains or vehicles;

(4) Obstruct, molest, or interfere with any person lawfully in any public place.

This paragraph shall include the making of unsolicited remarks of an offensive, disgusting, or insulting nature or which are calculated to annoy or disturb the person to, or in whose hearing, they are made.

SECTION IV: Request to leave. Whenever the persence of any person in any public place is causing any of the conditions enumerated in subsection(III), any police officer may order that person to leave that place. Any person who shall refuse to leave after being ordered to do so by a police officer shall be guilty of a violation of this section.

SECTION V: Penalty. Any person, firm, or corporation violating the provisions of this section shall be guilty of a Class C misdemeanor and fined not less than five dollars ($ 5.00) or more than two hundred dollars ($ 200.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION VI: Setting of time for curfew in and including the parking area, and street area around pavilion. The curfew time to be set at 10:00 P.M. until sunrise or 6:00 A.M. the following morning.

SECTION VII: Said Ordinance described above shall become effective upon the passing of said Ordinance.

PASSED AND APPROVED this the 18th day of September 1984.

John Carper
MAYOR

ATTEST:

Georgia Jones
CITY SECRETARY

ORDINANCE NO. 4-19-2011

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIO VISTA, TEXAS, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF THE TEXAS TRANSPORTATION CODE, SECTION 545.356(b), UPON THE BASIS OF AN ENGINEERING AND TRAFFIC STUDY ON STATE HIGHWAY 174, WITHIN THE CORPORATE LIMITS OF THE CITY OF RIO VISTA AS SET OUT IN THIS ORDINANCE: AS REQUESTED BY THE TEXAS DEPARTMENT OF TRANSPORTATION: DECLARING AN EMERGENCY AND EFFECTIVE DATE.

WHEREAS, The TEXAS TRANSPORTATION CODE Section 545.356(b) authorizes a governing body of a municipality to alter the prima facie speed limit for a highway or part of a highway in the municipality, including a highway of the state highway system, based upon the results of an engineering and traffic study for an officially designated or marked highway of the state highway system when the highway or part of the highway is under repair, construction or maintenance; and

WHEREAS, portions of Texas State Highway 174 located within the city limits of Rio Vista, Texas are currently and are projected to be under construction for over three months; and

WHEREAS, an engineering and traffic study was performed by a licensed engineer employed by The Texas Department of Transportation in December of 2010.

WHEREAS, said study revealed that the prima facie speed limit for State Highway 174 from mile point 5.206 to mile point 7.284 and from miles point 7.917 to mile point 8.802 in both directions of travel, should be altered from 55 miles per hour to 45 miles per hour; and

WHEREAS, said study found the portions of the highway subject to construction not to have a shoulder and to be narrow, requiring a lowering of the prima facie speed limits; and

WHEREAS, TEXAS TRANSPORTATION CODE Section 545.356(c) provides that the altered prima facie speed limits become effective when the governing body of the municipality erects signs giving notice of the new limit: and

WHEREAS, the Texas Department of Transportation provided the City with formal request to enact this ordinance to promote the safety of the motorists, pedestrians, and workers on said state highway:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIO VISTA, JOHNSON COUNTY, TEXAS, THAT:

SECTION 1: ALTERATION OF SPEED LIMITS ON STATE HIGHWAY 174: The maximum prima facie speed limit on State Highway 174 from mile point 5.206 to mile point 7.284 and from mile point 7.917 to mile point 8.802 in both directions of travel, should be altered from 55 miles per hour to 45 miles per hour; and these speed limits shall remain in effect until the termination of highway construction being conducted by the Texas Department of Transportation.

SECTION 2: PUBLICATION CLAUSE. The City Secretary is hereby directed to post or publish in the official newspaper of the City, the caption, publication clause and effective date clause of this ordinance in one issue of the official newspaper of the City, provided that the official newspaper is a weekly paper, as authorized by Section 52.011 of the TEXAS LOCAL GOVERNMENT CODE.

SECTION 3: EFFECTIVE DATE. This ordinance shall take effect immediately from and after its passage and publication of the caption as required by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF RIO VISTA, JOHNSON COUNTY, TEXAS, ON THIS THE 19TH DAY OF APRIL, 2011.

M.P.T.

MAYOR PRO-TEM JAY FUTRELL

ATTEST:

Brenda Marbut

CITY SECRETARY, BRENDA MARBUT
I, the undersigned, Brenda Marbut, do hereby certify that the above is a true and correct copy of an ordinance duly adopted by the City of Rio Vista, at a called meeting duly convened on Tuesday, April 19, 2011.

ORDINANCE NO. 08122008

AN ORDINANCE OF THE CITY OF RIO VISTA, TEXAS PROVIDING FOR A MAXIMUM RATE OF SPEED OF FIFTEEN (15) MILES PER HOUR FOR THE ENTIRE LENGTH OF EL CAMPO STREET; PROVIDING FOR THE POSTING OF SPEED LIMIT SIGNS, PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF NOT LESS THAN ONE DOLLAR NOR MORE THAN TWO HUNDRED DOLLARS FOR EACH OFFENSE; DECLARING AN EMERGENCY AND AN EFFECTIVE DATE.

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

Section 1. No person shall drive or operate a motor vehicle, motorcycle, bicycle, motor-driven cycle, motor assisted cycle, or any other vehicle of any kind on El Campo Street in the City of Rio Vista, Texas at a speed greater than fifteen (15) miles per hour.

Section 2. That speed limit signs in conformity with the manual and specifications for uniform traffic control devices as adopted by the State Department of Transportation shall be and hereby are directed to be erected at the appropriate locations as determined by the Chief of Police.

Section 3. That the City Secretary of the city of Rio Vista or such representative as she may appoint is hereby authorized and directed to cause the speed limit signs to be posted and maintained.

Section 4. That if any section, paragraph, sentence, clause, phrase or word of this ordinance, or application hereof to any person or circumstance, is held invalid by any Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the ordinance despite such invalidity, which remaining sections and parts shall remain in full force and effect.

Section 5. That it shall be unlawful for any person to violate any provision of this ordinance, and any person violating any portion of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine in an amount not less than One Dollar ($1.00) nor more than Two Hundred Dollars ($200.00).

Section 6. The fact that the present ordinances and regulations of the City are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the city creates an emergency for the immediate preservation of the public welfare which requires that the provisions of this ordinance shall take effect upon the posting of the signs directed by Sections 2 and 3 above, and publication of this ordinance as provided by law, and is accordingly so ordained.

PASSED AND APPROVED this 12TH day of AUGUST, 2008.

Mayor, City of Rio Vista, Texas

ATTEST:

Brenda Marbut

City Secretary, City of Rio Vista, Texas

ORDINANCE NO. 192007

AN ORDINANCE OF THE CITY OF RIO VISTA AMENDING THE MAXIMUM SPEED LIMIT ON GREEN STREET , LINDA LANE AND MESQUITE DRIVE. PROVIDING FOR POSTING OF SPEED LIMITS SIGNS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF NOT LESS THAN ONE DOLLAR NOR MORE THAN TWO HUNDRED DOLLARS FOR EACH OFFENSE; DECLARING AN EMERGENCY AND AN EFFECTIVE DATE.

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

Section 1. No person shall drive or operate a motor vehicle, motorcycle, motor driven cycle, motor assisted cycle, or any other vehicle of any kind upon Green Street ,Linda Lane and Mesquite drive within the city limits of Rio Vista at a speed greater than 15 m.p.h. It is determined that a reasonable and safe prima facie maximum speed limit on Green Street, Linda Lane and Mesquite Drive to be 15 m.p.h. and shall be enforced as posted.

Section 2. That speed limit signs in conformity with the manual and specifications for uniform traffic control devices as adopted by the State Highway Commission shall be and hereby are directed to be directed to be erected at the appropriate locations as determined by the Chief Of Police.

Section 3. That the City secretary of the City Of Rio Vista or such representative as she may appoint is hereby authorized and directed to cause the speed limit signs to be posted and maintained throughout the city.

Section 4. That if any section, paragraph, sentence, clause, phrase or word of this ordinance, or application hereof to any person or circumstance, is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining sections and parts shall remain in full force and effect.

Section 5. That it shall be unlawful for any person to violate any provision of this ordinance, and any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine in an amount not less than one dollar ($1.00) nor more than two hundred dollars ($200.00).

Section 6. This ordinance will replace Ordinance # 24C-1-97 for regulation and control of speed limit on Green Street, Linda Lane and Mesquite Drive. All other streets and highways will remain as regulated by Ordinance # 24C-1-97.

Section 7. The City Council of the City of Rio Vista shall declare this an emergency and upon the second reading of such ordinance, posting of the signs as directed and the publication of this ordinance as provided by law.

PASSED AND APPROVED this 13th **day of** February, **2007**

Russell Green, Mayor
City of Rio Vista, Texas

ATTEST:

Brenda Marburt
City Secretary, City of Rio Vista

ORDINANCE NO. 8-17-05

AN ORDINANCE OF THE CITY OF RIO VISTA, TEXAS ESTABLISHING DESIGNATED SCHOOL ZONES AND MAKING IT ILLEGAL TO TRAVEL IN EXCESS OF POSTED SPEED LIMITS DURING SPECIFIC TIMES. PROVIDING A SEVERABILITY CLAUSE; DECLARING AN EMERGENCY AND EFFECTIVE DATE THERE-OF;

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

SECTION 1 SCHOOL ZONES

The following areas shall be designated as "SCHOOL ZONES" within the City of Rio Vista, Texas and the maximum speed limit shall be 15 mph during the posted times:

1. South Cleburne Whitney Road from Border Street to the 600 block at the south end of the Elementary School property line.
2. Capps Street from South Cleburne Whitney Road to the Railroad Tracks 100 feet west of Hwy # 174.
3. South Hughes Street from Border Street to its south terminus in the 400 block.

SECTION 2 SCHOOL ZONE TIMES

The following information shall designate times that SCHOOL ZONES are in effect within the City of Rio Vista.

1. School zones shall be in effect only on those days when school is in session.
2. Morning school zone times will be in effect from 7:30 am until 8:30 am.
3. Evening school zone times will be in effect from 3:00 pm until 4:00 pm.
4. The school zone times for South Hughes Street shall remain in effect from 7:30 am until 4 pm on all days that school is in session.

SECTION 3 SCHOOL ZONE SIGNS

All designated School Zones shall have signs posted with notification of zone times on each. If possible they will also be equipped with flashing yellow lights operating during designated hours. The failure of flashing lights shall not be a defense to prosecution if time notification signs are in place and clearly visible.

SECTION 4 SEVERABILITY

That if any section, paragraph, sentence, clause, phrase or word of this ordinance, or application hereof to any person or circumstance, is held invalid by any Court of competent jurisdiction. Such holding shall not affect the validity of the remaining portions of the ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining sections and parts shall remain in full force and effect.

SECTION 5 EMERGENCY AND EFFECTIVE DATE

It being for the public safety and welfare that this Ordinance be passed creates a public necessity and an emergency and thereby any rule requiring additional readings shall be hereby, waived and this reading shall now be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 17th day of August 2005.

Russell M. Green Jr.
Mayor

ATTEST:

Brenda Marbut
City Secretary

ORDINANCE NO. 281-08-03

AN ORDINANCE OF THE CITY OF RIO VISTA, TEXAS MAKING IT ILLEGAL TO PASS A SCHOOL BUS WHILE IT IS LOADING OR UNLOADING CHILDREN ON A ROADWAY, SCHOOL PARKING LOT, OR INGRESS OR EGRESS ROUTE TO SCHOOL PROPERTY IN THE CITY LIMITS OF RIO VISTA, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF NOT LESS THAN TWO HUNDRED DOLLARS NOR MORE THAN FIVE HUNDRED DOLLARS FOR EACH OFFENSE; DECLARING AN EFFECTIVE DATE.

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

Section !. No person operating a motor vehicle in the City of Rio Vista on a highway, city street, school parking lot, or school entrance or exit shall fail to stop when approaching a school bus from either direction, if that bus is receiving or discharging students

(a) All vehicle operators shall stop before reaching the school bus when the bus is operating a visual signal as required by The Texas Transportation Code, Section 547.701;
(b) may not proceed until:
    (1) the school bus resumes motion;
    (2) the operator is signaled by the bus driver to proceed; or
    (3) the visual signal is no longer actuated.

Section 2. That if any section, paragraph, sentence, clause, phrase or word of this ordinance, or application hereof to any person or circumstance, is held invalid by any Court of competent jurisdiction. Such holding shall not affect the validity of the remaining portions of the ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining sections and parts shall remain in full force and effect.

Section 3. That it shall be unlawful for any person to violate any provision of this ordinance. Any person violating any portion of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine in an amount not less than Two Hundred Dollars ($200) nor mare than Five Hundred Dollars ($500).

Section 4. This ordinance shall be in full force and effect after it's passage and publication as provided by law.

PASSED AND APPROVED this 12 day of August 2003.

Mayor

ATTEST:

City Secretary

ORDINANCE NO. 24D-1-2000

AN ORDINANCE OF THE CITY OF RIO VISTA AMENDING THE MAXIMUM SPEED LIMIT ON FIRST STREET FROM TOWER ROAD TO 916 AND 916 TO HALL STREET. PROVIDING FOR POSTING OF SPEED LIMITS SIGNS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF NOT LESS THAN ONE DOLLAR NOR MORE THAN TWO HUNDRED DOLLARS FOR EACH OFFENSE; DECLARING AN EMERGENCY AND AN EFFECTIVE DATE.

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

Section 1. No person shall drive or operate a motor vehicle, motorcycle, motor-driven cycle, motor assisted cycle, or any other vehicle of any kind upon First Street within the city limit of Rio Vista at a speed greater than 15 m.p.h. It is determined and declared that a reasonable and safe prima facie maximum speed limit on W. First Street from Tower Rd. to Central Ave. or FMR 916 and S. First Street from Central Ave. or FMR 916 to Hall Street to be 15 m.p.h. and shall be enforced as posted.

Section 2. That speed limit signs in conformity with the manual and specifications for uniform traffic control devices as adopted by the State Highway Commission shall be and hereby are directed to be erected at the appropriate locations as determined by the Chief of Police.

Section 3. That the City secretary of the City of Rio Vista or such representative as she may appoint is hereby authorized and directed to cause the speed limit signs to be posted and maintained throughout the city.

Section 4. That if any section, paragraph, sentence, clause, phrase or word of this ordinance, or application hereof to any person or circumstance, is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining sections and parts shall remain in full force and effect.

Section 5. That it shall be unlawful for any person to violate any provision of this ordinance, and any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine in an amount not less than one dollar ($1.00) nor more than two hundred dollars ($200.00).

Section 6. This ordinance will replace Ordinance # 24C-1-97 for regulation and control of speed limit on N. First and S. First. All other streets and highways will remain as regulated by Ordinance # 24C-1-97.

Section 7. The City Council of the City of Rio Vista shall declare this an emergency and upon the second reading of such ordinance, posting of the signs as directed and the publication of this ordinance as provided by law.

PASSED AND APPROVED this 19 day of Sept, 2000.

Sam Bigham, Mayor
City of Rio Vista, Tex.

ATTEST:

City Secretary, City of Rio Vista

ORDINANCE NO. 24C - 1 - 97

AN ORDINANCE OF THE CITY OF RIO VISTA, TEXAS PROVIDING FOR A MAXIMUM RATE OF SPEED OF TWENTY-FIVE (25) MILES PER HOUR WITHIN THE CORPORATE LIMITS OF THE CITY EXCEPT ON STATE HWY# 174 WHICH SHALL REMAIN AS POSTED BY THE STATE OF TEXAS, EXCEPT ON FM #916 EAST AND WEST WHICH SHALL REMAIN AS POSTED BY THE STATE OF TEXAS, EXCEPT ON JOHNSON COUNTY ROAD #1106 WHICH SHALL REMAIN AS POSTED BY JOHNSON COUNTY, TEXAS, EXCEPT ON JOHNSON COUNTY ROAD #1107 WHICH SHALL REMAIN AS POSTED, EXCEPT ON JOHNSON COUNTY ROAD #1206 WHICH SHALL REMAIN AS POSTED, EXCEPT IN DESIGNATED SCHOOL ZONES WHICH SHALL REMAIN AT FIFTEEN (15) MILES PER HOUR ; PROVIDING FOR THE POSTING OF SPEED LIMIT SIGNS, PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF NOT LESS THAN ONE DOLLAR NOR MORE THAN TWO HUNDRED DOLLARS FOR EACH OFFENSE; DECLARING AN EMERGENCY AND AN EFFECTIVE DATE.

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

Section 1. No person shall drive or operate a motor vehicle, motorcycle, bicycle, motor-driven cycle, motor assisted cycle, or any other vehicle of any kind up a public street, highway, parkway or alley within the corporate limits of the City of Rio Vista, Texas at any speed greater than is reasonable and prudent under the circumstances then existing. It is determined and declared that a reasonable and safe prima facie maximum speed limit in all of the streets and roads within the corporate limits is twenty-five (25) miles per hour, except on State Hwy #174 which shall remain as posted by the State of Texas, except on FM #916 East and West which shall remain as posted by the State of Texas, except on Johnson County Road #1106 which shall remain as posted by Johnson County, except on Johnson County Road #1107 which shall remain as posted by Johnson County, except on Johnson County Road #1206 which shall remain as posted by Johnson County, and except in designated school zones which shall have a maximum rate of speed of fifteen (15) miles per hour.

Section 2. That speed limit signs in conformity with the manual and specifications for uniform traffic control devices as adopted by the State

Highway Commission shall be and hereby are directed to be erected at the appropriate locations as determined by the Chief of Police.

Section 3. That the City Secretary of the city of Rio Vista or such representative as she may appoint is hereby authorized and directed to cause the speed limit signs to be posted and maintained throughout the City.

Section 4. That if any section, paragraph, sentence, clause, phrase or word of this ordinance, or application hereof to any person or circumstance, is held invalid by any Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining sections and parts shall remain in full force and effect.

Section 5. That it shall be unlawful for any person to violate any provision of this ordinance, and any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine in an amount not less than One Dollar ($1.00) nor more than Two Hundred Dollars ($200.00).

Section 6. The fact that the present ordinances and regulations of the City are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the city creates an emergency for the immediate preservation of the public welfare which requires that the provisions of this ordinance shall take effect upon the posting of the signs directed by Sections 2 and 3 above, and publication of this ordinance as provided by law, and it is accordingly so ordained.

PASSED AND APPROVED this 16 **day of** JAN**, 1997.**

Roany Fuller Mayor Pro-Tem

Mayor, City of Rio Vista, Texas

ATTEST:

Georgia Jones

City Secretary, City of Rio Vista, Texas

ORDINANCE NO: 94-8-11-(a)

AN ORDINANCE OF THE CITY OF RIO VISTA, TEXAS AMENDING ORDINANCE NUMBER 94-8-11, ESTABLISHING NO THRU TRUCK DISTRICT, RESTRICTING THE USE OF CERTAIN CITY STREETS, DECLARING AN EMERGENCY AND PROVIDING A PENALTY FOR VIOLATIONS.

WHEREAS, the City of Rio Vista, Texas shall set a weight limit and axle limit on the size of trucks or other vehicles to travel as thru traffic on City Streets other than on the main streets as named, State Farm Road 916 East, State Farm Road 916 West and State Highway 174, use of City Streets may be for access for delivery or for pick up of goods or products or for work reasons which may be necessary, declaring an emergency and providing for a penalty not to exceed $ 500.00 for each offense.

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

SECTION 1. The City Council or their designee is hereby authorized to regulate or restrict the size and weight of trucks or other vehicles on any City Street other than those designated for use of such and the streets being named herein,

SECTION 2. The City Streets which may be used as thru streets for heavy and large vehicles are as follows: State Highway 174, State Farm Road 916 East and State Farm Road 916 West.

SECTION 3. Trucks or other vehicles which have more than two axles or exceed 7,500 lbs. shall be prohibited on any City Street other than the above named streets when correct signage is posted.

SECTION 4. Trucks which have delivery or pick up of goods or products shall have access for that specific reason only, however, this shall not permit thru traffic of such vehicles.

SECTION 5. Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed Five Hundred and No/100 Dollars ($ 500.00) for each offense.

SECTION 6. It being for the public safety and welfare that this Ordinance be passed creates a public necessity and an emergency and thereby any rule requiring additional reading shall be hereby, waived and this reading shall be in full force and effect from and after its passage, approval and placement of approved signage.

PASSED AND APPROVED this 13th **day of** FEBRUARY **2006.**

Mayor

ATTEST:

Brenda Marbut
City Secretary

ORDINANCE NO. 08-10-10

AN ORDINANCE OF THE CITY OF RIO VISTA, TEXAS RENEWING ORDINANCE NO. 06-12-07 ESTABLISHING A CURFEW FOR MINORS; PROVIDING DEFINITIONS: PROHIBITING CERTAIN ACTS OF MINORS, PARENTS AND THOSE WHO OPERATE ESTABLISHMENTS WHERE A MINOR MIGHT BE FOUND DURING CURFEW HOURS; LIST OF DEFENSES; GUIDELINES FOR ENFORCEMENT; PUNISHMENT; REPEALER CLAUSE; SEVERABILITY CLAUSE; AND EFFECTIVE DATE.

WHEREAS, any government entity has a concern as to the safety of its citizens:

WHEREAS, the children of any society are its future;

WHEREAS, a society and its elected officials may deem that certain conduct may create an unreasonable and unnecessary risk to a segment of that society and choose to establish reasonable guidelines to keep that segment or group from harm's way:

WHEREAS, the City Council of the City of Rio Vista believes that during the hours of the curfew, there is a greater risk to minors (as defined) of being the victims of misadventure, violence, misfortune, or other illicit activity perpetrated against minors:

WHEREAS, government must balance the rights of all of its citizens from those who would violate those rights;

WHEREAS, this curfew is created to protect any minor found within the City of Rio Vista from arrant fortune or victimization resulting from a lack of supervision.

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

SECTION I.

DEFINITIONS.

1. CURFEW HOURS means:

    a. 11:00 p.m. on any Sunday, Monday, Tuesday, Wednesday, or Thursday until 6:00 a.m. of the following day; and
    b. 12:01 a.m. until 6:00 a.m. on any Saturday or Sunday.
2. EMERGENCY means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, fire, a natural disaster, and automobile accident, or any situation requiring Immediate action to prevent serious bodily injury or loss of life.

3. ESTABLISHMENT means any privately owned place of business operated for profit to which the public is invited, including but not limited to, any place of amusement or entertainment.

4. GUARDIAN means:
   a. a person who, under court order, is the guardian of the person of a minor; or
   b. a public or private agency with whom a minor has been placed by a court.

5. MINOR means any person under 17 years of age.

6. OPERATOR means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.

7. PARENT means a person who is:

   a. a natural parent, adoptive parent, or step-parent of another person; or
   b. at least 18 years of age and authorized by a parent or guardian to have the care and custody of a minor.

8. PUBLIC PLACE means any place to which the public or substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

9. REMAIN means to:
   a. Linger or stay; or
   b. fail to leave premises when requested to do so by a Police Officer or the owner, operator, or other person in control of the premises.

10. SERIOUS BODILY INJURY means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily members or organ.

SECTION II.

<u>OFFENSES.</u>

1. A minor commits an offense if he remains in any public place or an the premises of any establishment with the city during curfew hours.

2. A parent or guardian of a minor commits an offense if he knowingly permits, or by insufficient control allows, the minor to remain in any public place or on the premises of any establishment within the city during curfew hours.

3. The owner, operator, or any employee of an establishment commits an offense if he knowingly allows a minor to remain upon the premises of the establishment during curfew hours

SECTION III.

DEFENSES.

1. It is a defense to prosecution under Section II that the minor was:
   a. accompanied by the minor's parent or guardian:
   b. on an errand at the direction of the minor's parent or guardian,
   c. in a motor vehicle involved in interstate travel;
   d. engaged in an employment activity, or going to or returning from an employment activity, without any detour or stop:
   e. involved in an emergency:
   f. on the sidewalk abutting the minor's residence or abutting the residence of a next door neighbor if the neighbor did not complain to the police department about the minor's presence;
   g. attending an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Rio Vista, a civic organization, or another similar entity that takes responsibility for the minor, or going to, or returning home from, without any detour or stop, an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Rio Vista, a civic organization, or another similar entity that takes responsibility for the minor;
   h. exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly; or
   i. married or had been married or had disabilities of minority removed in accordance with Chapter 31 of the Texas Family Code.
2. It is a defense to the prosecution under Section II, 3 that the owner, operator, or employee of an establishment promptly notified the police department that a minor was on the premises of the establishment during curfew hours and refused to leave.

SECTION IV.

ENFORCEMENT.

Before taking any enforcement action under this section, a police officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that based on any response and other circumstances, no defense in Section III is present.

SECTION V.

PENALTIES.

1. Any person, firm, association of persons, corporations or other organizations violating provisions of this Ordinance shall be deemed to be guilty of a misdemeanor and upon conviction shall be fined in an amount not in excess of Five Hundred ($500.00) dollars. Each violation of this Ordinance shall be deemed a separate offense and each day that the violation continues shall be deemed a separate offense. Nothing herein shall prevent the enforcement of this Ordinance by another means authorized by law and this Ordinance may be enforced by any or all means, and the choice of one remedy is not to the exclusion of any other remedy.

2. When required by Section 51.08 of the Texas Family Code, as amended, the municipal court shall waive original jurisdiction over the minor who violated Section II, 1 of this Ordinance and shall refer the minor to juvenile court.

SECTION VI.

REPEALER.

All ordinances or parts of ordinances not consistent or conflicting with the provisions of this Ordinance are hereby repealed; provided that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other Ordinances regulating and governing the subject matter covered by this Ordinance.

SECTION VII.

SEVERABILITY.

That it is hereby declared that if any section, articles, subsections, paragraphs, sentences, clauses, and phrases of this Ordinance shall be declared void, ineffective, or unconstitutional by valid judgment or final decree of a court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections, articles, or sections of this Ordinance since the same would have been enacted by the city council without the incorporation herein of any such void, ineffective, or unconstitutional phrase, clause, sentence, paragraph, subsection article or section.

SECTION VIII.

EFFECTIVE DATE.

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED this the 10th day of August, 2010

Mayor, Wm. Keith Hutchison

ATTEST:

City Secretary, Brenda Marbut

ORDINANCE NO: 93-12-17

AUTHORIZING EXISTING TRAFFIC CONTROL DEVICES,THE INSTALLATION OF NEW TRAFFIC CONTROL DEVICES,SIGNALS AND SIGNS;AND DIRECTING AUTHORIZED PERSONNEL TO ERECT SUCH DEVICES,SIGNALS AND SIGNS AS MAY BE PROVIDED FOR IN ANY SUBSEQUENT ORDINANCE;AND PROVIDING FOR THE PRIMA FACIE EVIDENCE RULE WITH RESPECT TO SUCH DEVICES,SIGNALS AND SIGNS AS MAY BE ACTUALLY INSTALLED.

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

Section 1. All traffic control devices including signs, signals and markings (Pavement and/or curb) installed or used for the purpose of directing and controlling traffic within the City of Rio Vista shall conform with the Texas Manual on Uniform Traffic Control Devices for Streets and Highways,Volumes 1 and 2 (hereafter called the Manual).Article 6701d,Vernon's Civil Statutes states: All signs,signals,and markings erected or used by the City of Rio Vista shall be uniform and be located so far as practicable according to the directions shown in the manual throughout the city.All existing traffic control devices and those erected in the future by the city being consistant with the Manual,State Law and this Ordinance shall be Official Traffic control devices.

Section 2. The driver of any vehicle,motor vehicle or animal shall obey the instructions of any official traffic control device,sign,signal or marking applicable thereto placed in accordance with this ordinance,unless otherwise directed by a Police Officer, subject to the exceptions granted the driver of an Authorized Emergency Vehicle permitted by this ordinance.

Section 3. (a) The driver of an Authorized Emergency Vehicle, as the term"authorized emergency vehicle" is defined by State Law,when responding to an emergency call or when in the pursuit of an actual or suspected violator of the law,or when responding to but not upon returning from a Fire Alarm,may exercise the privileges set forth in this section, but subject to the conditions herein stated.

(b) The driver of an Authorized Emergency Vehicle may:

(1) Park or stand,irrespective of the provisions of this or any ordinance;

(2) Proceed past a red or stop signal or stop sign,but ONLY after slowing down as may be necessary for safe operation;

Section 3 contienued from page 1.

(b)(3) Exceed the prima facie speed limits so long as he/she DOES NOT ENDANGER LIFE OR PROPERTY;

(4) Disregard regulations governing direction of movement or turning in specified directions.

(c) The exemptions herein granted to an authorized emergency vehicle shall apply ONLY when such vehicle is making use of AUDIBLE AND VISUAL SIGNALS meeting the requirements of Section 124 V.C.S. 6701d (Uniform Act Regulating Traffic on Highways),except that an authorized emergency vehicle operated as a POLICE VEHICLE need NOT be equipped with or Siren or display a red light visible from the front of the vehicle.

(d) The foregoing provisions shall not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons,nor shall such provisions protect the driver from the consequences of his/her reckless disregard for the safety of others.

Section 4. (a) No person shall place,maintain,or display upon or in view of any highway,street or alley any unauthorized signs, signal,marking,or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal,or which attempts or directs the movement of traffic,or which hides from view or interferes with the effectiveness of any official control device or any railroad sign or signal.

(b) No person shall place or maintain nor shall any public authority permit upon any highway,street or alley any traffic sign or signal bearing thereon any commercial advertising.

(c) This section shall not be deemed to prohibit the erection upon private property adjacent to highways,streets or alleys of signs giving usuful directional information and of a type that cannot be mistaken for official signs.

(d) Every such prohibited sign,signal or marking is hereby declared to be a public nuisance,and the Chief of Police is hereby empowered to remove the same or cause it to be moved without notice.

Section 5. No person shall without lawful authority attempt to or in fact alter,deface,injure,knock down or remove any official traffic control device,sign,signal or any railroad sign or signal or any inscription,shield,or insignia thereon,or any part thereof.

Section 6. (a) The City Council of the City of Rio Vista shall by ordinance direct Authorized Personnel the duty of erecting or installing upon,over,along,or beside any highway,street or alley sign,signals and markings,or cause the same to be erected,installed or placed in accordance with this ordinance and consistant with the manual. Said traffic control devices shall be installed IMMEDIATELY, or as soon as such specific device,sign or signal can be procured.

(b) Whenever Authorized Personnel has erected and installed any official traffic control device,signal or sign at any location in the City Of Rio Vista,or has caused the same to be done under his direction,in obedience to this ordinance and the manual shall thereafter file a report with the City Secretary in writing and signed officially by the Authorized Person,stating the type of traffic control device,sign or signal,and when and where the same was erected and installed. The City Secretary shall file and maintain such report among the official papers of the office of the City Secretary, with notification of signs,signal,erection has been completed to the City Council.

Section 7. It being unlawful for any person other than authorized person,acting pursuant to an ordinance of the City,to install or cause to be installed any signal,sign or device purporting to direct the use of the streets or the activities on those streets of pedestrians,vehicles,motor vehicles,or animals,proof in any prosecution for a violation of this ordinance or any traffic Ordinance of the City of Rio Vista,that any traffic control device,sign,signal or marking was actually in place on any street shall constitute prima facia evidence that the same was installed by Authorized Personnel pursuant to the authority of this ordinance and of the ordinance directing the installation of such device,sign,signal or marking.

Section 8. Any person violating any provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined $100.00 for each violation.

*Declaring and Emergency and Declaring and Effective Date.

Passed and Approved this 13th day of January, 19 94.

Attest:

Georgia Jones
City Secretary

Mayor

ORDINANCE NO. 12092014
ORDINANCE AMENDING THE CITY OF RIO VISTA, TEXAS
PROHIBITED SIGNS ORDINANCE

AN ORDINANCE AMENDING THE CITY OF RIO VISTA PROHIBITED SIGNS ORDINANCE.

WHEREAS, the City Council of the City of Rio Vista, Texas passed and approved Ordinance No. 10142008B on October 14, 2008, which is known as The City of Rio Vista "Prohibited Signs" Ordinance;

WHEREAS, the City Council of the City of Rio Vista, Texas has determined that it needs to establish an exception to the Prohibited Signs Ordinance in order to allowing adequate signage and communication for schools and governmental offices while continuing to maintain the aesthetic environment.

WHEREAS, it is the desire and intent of the City Council of the City of Rio Vista to amend the City of Rio Vista Prohibited Signs Ordinance and allow for a limited exception as noted below.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIO VISTA THAT:

Section 1: **Prohibited Signs**: That Section "Prohibited Signs" is hereby amended to add the following provision:

C. *Exceptions*. The City Council shall have the authority to approve LED signs for governmental offices and school districts within the City of Rio Vista, Texas and its ETJ who make a request to the City Council to install a LED sign with a scrolling message to inform the public of upcoming public and/or school events.

Section 2: This amendment to this ordinance shall take effect immediately from and after its passage is accordingly so ordained.

PASSED, APPROVED, AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIO VISTA, TEXAS THIS THE 9 DAY OF December, 2014.

CITY OF RIO VISTA , TEXAS

Clint Martin, Mayor

ATTEST:

Esther Landers, City Secretary

ORDINANCE NO. 10142008B

PROHIBITED SIGNS

AN ORDINANCE OF THE CITY OF RIO VISTA, TEXAS, FINDING IT NECESSARY TO PROTECT HEALTH, SAFETY, AND WELFARE OF ITS CITIZENS AND THE INTEGRITY OF THE SCENERY AND LANDSCAPE OF THE CITY, WHETHER NATURAL OR BUILT, RURAL OR URBAN, PROVIDING FOR THE REGULATION OF SIGNS IN THE CITY, PROHIBITING CERTAIN TYPES OF SIGNS AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS: The City of Rio Vista has determined that the City agrees with the American Society of Landscape Architects' determination that outdoor advertising signs tend to deface nearby scenery, whether natural or built, rural or urban;

WHEREAS the City agrees with courts that have recognized that outdoor advertising signs tend to interrupt what would otherwise be the natural landscape as seen from the highway, whether the view is untouched or ravished by man, and that it would be unreasonable and illogical to conclude that an area is too unattractive to justify aesthetic improvement;

WHEREAS the City has determined that certain moving and flashing signs and multi-colored electronic changeable message light emitting diode billboards pose a distraction to drivers, bikers and pedestrians from the roadway;

WHEREAS, the City has determined that in order to preserve and enhance the City as a desirable community in which to live and do business, a pleasing, visually attractive environment is of foremost importance; and these regulations are a highly contributive means by which to achieve this desired end and have been prepared with the intent of enhancing the visual environment of the City and promoting safety and continued well-being;

WHEREAS the City has determined that these regulations maintain and enhance the aesthetic environment, improve pedestrian and traffic safety, lessen unnecessary visual clutter that competes for the attention of pedestrian and vehicular traffic, regulates signs in a manner so as not to interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians, conserve, protect and enhance the aesthetic quality of the City, protect property values by precluding sign-types that create a nuisance to the occupancy or use of other properties;

WHEREAS THE City has determined that certain moving and flashing signs and multi-colored electronic changeable message light emitting diode billboards are inconsistent with the above-stated goals;

WHEREAS the City finds that Section 216.902 of the Local Government Code provides for the application of its outdoor advertising sign regulations to extend into the extraterritorial jurisdiction (ETJ) of the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIO VISTA, TEXAS: That the following Sign Ordinance is hereby adopted by the City of Rio Vista, Texas and added to the City Code of Ordinances.

PROHIBITED SIGNS

The following signs are hereby expressly prohibited from installation, construction, repair, alteration, conversion, or relocation within the City of Rio Vista, Texas and its ETJ:

A. *Moving and flashing signs.* Signs which flash, revolve, rotate, swing, undulate or otherwise attract attention through the movement or flashing of parts, or through the impression of movement or flashing except for that portion of those signs indicating the time, temperature and/or any other non-commercial message; and signs fully located within an enclosed building, and which are not observable from the exterior of such buildings.

B. *Light Emitting Diode (LED) signs.* Signs which are multi-colored electronic changeable message light emitting diode (LED) signs or billboards and all changeable electronic variable message signs (CEVMS).

Nothing in this ordinance shall be construed to conflict with state law.

EFFECTIVE DATE

This ordinance shall become effective from and after OCTOBER 14, 2008.

Presented and given third and final reading on the 14TH day of OCTOBER, 2008, at a regular meeting of the City Council of the City of Rio Vista, Texas.

Passed and approved by a vote of 4 yeas and 0 nays.

Mayor

Attest: City Secretary

Brenda Marbut

ORDINANCE NO. 111-7-02

AN ORDINANCE OF THE CITY OF RIO VISTA, TEXAS PROVIDING FOR A LEFT TURN ONLY EXIT FROM THE RIO VISTA MIDDLE SCHOOL PARKING LOT ONTO CAPPS STREET DURING SCHOOL ZONE HOURS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF NOT LESS THAN ONE DOLLAR NOR MORE THAN TWO HUNDRED DOLLARS FOR EACH OFFENSE; DECLARING AN EMERGENCY AND AN EFFECTIVE DATE.

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

Section 1. No person operating a motor vehicle shall exit the Rio Vista Middle School main parking lot onto Capps Street by turning any other direction than left during normal school zone hours. Those school zone hours shall be reflected as currently posted. (7:00am to 8:30am and 2:00pm to 4:30pm during all days when the Rio Vista School District is in session.)

Section 2. Appropriate "Left Turn Only" or "No Right Turn" signs, in conformity with the manual and specifications for uniform traffic control devices as adopted by the State Highway Commission shall be and hereby are directed to be erected at the appropriate locations as determined by the Chief of Police.

Section 3. That the City Secretary of the city of Rio Vista or such representative as she may appoint is hereby authorized and directed to cause the said signs to be posted and maintained at the necessary locations.

Section 4. That if any section, paragraph, sentence, clause, phrase or word of this ordinance, or application hereof to any person or circumstance, is held invalid by any Court of competent jurisdiction. Such holding shall not affect the validity of the remaining portions of the ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining sections and parts shall remain in full force and effect.

Section 5. That it shall be unlawful for any person to violate any provision of this ordinance. Any person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine in an amount not less than One Dollar ($ 1.00) nor more than Two Hundred Dollars ($ 200.00)

Section 6. The fact that the present ordinances and regulations of the City are inadequate to properly safeguard the health, safety, morals, peace and general welfare of the inhabitants of the city creates an emergency for the immediate preservation of the public welfare. Which requires that the provisions of this ordinance shall take effect upon posting of the signs directed by Section 2 and 3 above, and publication of this ordinance as provided by law, and it is accordingly so ordained.

PASSED AND APPROVED this 11 **day of** July, **2002.**

Sam C Bell

Mayor, City of Rio Vista, Texas

ATTEST:

Georgia Jones

City Secretary, City of Rio Vista, Texas

ORDINANCE NO. 031108

AN ORDINANCE OF THE CITY OF RIO VISTA, TEXAS MAKING IT ILLEGAL TO PARK ON CERTAIN AREAS OF STATE HIGHWAY #174 WITHIN THE CITY LIMITS OF RIO VISTA, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF NOT LESS THAN FIFTY DOLLARS NOR MORE THAN FIVE HUNDRED DOLLARS FOR EACH OFFENSE; DECLARING AN EFFECTIVE DATE.

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

Section 1. No person operating a motor vehicle in the City of Rio Vista on a highway or city street, shall park, stand, stop or leave unattended any vehicle in an area where "No Parking" Signs are posted.

Section 2. It shall be unlawful for any person operating a motor vehicle to park, stand, stop or leave unattended any vehicle on the west shoulder of State Highway #174 North from the 300 block to the 300 block of State Highway 174 South, within the City Limits of Rio Vista, Texas.

Section 3. That if any section, paragraph, sentence, clause, phrase or word of this ordinance, or application hereof to any person or circumstance, is held invalid by any Court of competent jurisdiction. Such holding shall not affect the validity of the remaining portions of the ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining sections and parts shall remain in full force and effect.

Section 4. That it shall be unlawful for any person to violate any provision of this ordinance. Any person violating any portion of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine in an amount not less than Fifty Dollars ($50) nor more than Five Hundred Dollars ($500).

Section 5. This ordinance shall be in full force and effect after it's passage and publication as provided by law.

PASSED AND APPROVED this 11TH day of MARCH 2008.

Mayor

ATTEST: Brenda Marbut

City Secretary

ORDINANCE NO. 282-08-03

AN ORDINANCE OF THE CITY OF RIO VISTA, TEXAS MAKING IT ILLEGAL TO PARK ON CERTAIN ROADWAYS WITHIN THE CITY LIMITS OF RIO VISTA, TEXAS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF NOT LESS THAN FIFTY DOLLARS NOR MORE THAN FIVE HUNDRED DOLLARS FOR EACH OFFENSE; DECLARING AN EFFECTIVE DATE.

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

Section !. No person operating a motor vehicle in the City of Rio Vista on a highway or city street, shall park, stand, stop or leave unattended any vehicle in an area where "No Parking" Signs are posted.

Section 2. It shall be unlawful for any person operating a motor vehicle to park, stand, stop or leave unattended any vehicle on the north shoulder of Tower Road (County Road #1107) between Casa Vista Street and Mesquite Meadows Court within the City Limits of Rio Vista, Texas.

Section 2. That if any section, paragraph, sentence, clause, phrase or word of this ordinance, or application hereof to any person or circumstance, is held invalid by any Court of competent jurisdiction. Such holding shall not affect the validity of the remaining portions of the ordinance; and the City Council hereby declares it would have passed such remaining portions of the ordinance despite such invalidity, which remaining sections and parts shall remain in full force and effect.

Section 3. That it shall be unlawful for any person to violate any provision of this ordinance. Any person violating any portion of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a fine in an amount not less than Fifty Dollars ($50) nor more than Five Hundred Dollars ($500).

Section 4. This ordinance shall be in full force and effect after it's passage and publication as provided by law.

PASSED AND APPROVED this 12th day of August 2003.

Sam C Bigham
Mayor

ATTEST: Georgia Jones
City Secretary