



**LAKEWOOD VILLAGE TOWN HALL
100 HIGHRIDGE DRIVE
LAKEWOOD VILLAGE, TEXAS**

**TOWN COUNCIL MEETING
AUGUST 13, 2015 7:00 P.M.**

REGULAR SESSION – AGENDA

Call to Order and Announce a Quorum is Present

A. PLEDGE TO THE FLAG

B. VISITOR/CITIZENS FORUM: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action may be taken on these items at this meeting.

C. REGULAR AGENDA:

1. Consideration Ordinance Appointing Building Official and Deputy Building Official (Vargus)
2. Consideration of Certificate of Convenience and Necessity Agreement between the Town of Lakewood Village and the Town of Little Elm (Vargus)
3. Consideration of Municipal Development District Fiscal Year 2015-2016 Budget (Vargus)
4. Consideration of the Economic Development Corporation Fiscal Year 2015-2016 Budget (Vargus)
5. Discussion of Variance Request for Front Facing Garage and Garage Dimensions for 420 Hillside (Vargus)
6. Discussion of Variance Request for Front Yard Fence for 770 Carrie (Vargus)
7. Consideration of Adoption of 2011 Electrical Code (Bushong)
8. Consideration of Ordinance Dissolving the Economic Development Corporation and Calling a Special Election (Vargus)
9. Discussion of Regulation of Drones (Getka)
10. Discussion of No Parking/Tow Zones (Vargus)

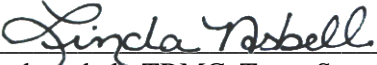
D. EXECUTIVE SESSION: Recess into executive session in compliance with (1) § 551.071, Texas Government Code to wit: Consultation with the Town Attorney regarding pending or contemplated litigation, re: Town of Lakewood Village V. Harry Bizios; (2) § 551.072 Texas Government Code to wit: deliberations about real property; (4) § 551.087 Texas Government Code to wit: Economic Development Negotiations; and (5) § 551.076 Texas Government Code to wit: deliberations about Security Devices;

E. RECONVENE: Reconvene into regular session and consideration of action, if any, on items discussed in executive session

F. COUNCIL AND STAFF COMMENTS: Comments may be made by Council or Staff. No formal action may be taken on these items at this meeting.

G. ADJOURNMENT

I do hereby certify that the above notice of meeting was posted on the designated place for official notice before 5:00 p.m. on Monday, August 10, 2015.


Linda Asbell, TRMC, Town Secretary



The Town Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 972-294-5555 or FAX 972-292-0812 for further information.

One or more members of the LAKEWOOD VILLAGE ECONOMIC DEVELOPMENT CORPORATION and the LAKEWOOD VILLAGE MUNICIPAL DEVELOPMENT DISTRICT may attend this meeting. No action will be taken by either the EDC or MDD Boards during this meeting.

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, NAMING STEVE FREEMAN AS CHIEF BUILDING OFFICIAL AND BRYAN AUSENBAUGH AS DEPUTY BUILDING OFFICIAL AND AUTHORIZING EACH TO PERFORM ALL BUILDING RELATED INSPECTIONS AND ENFORCEMENT OF RELATED TOWN ORDINANCES.

WHEREAS, providing for the general public health and safety is a primary responsibility of town government, and

WHEREAS, substandard housing presents an increased risk of fire and can provide a habitat for rodents and other disease carrying animals, and

WHEREAS, to provide for safe housing, the Town of Lakewood Village has adopted a comprehensive set of building ordinances including International Codes, and

WHEREAS, The Texas Local Government Code §22.071 authorizes the Town to appoint municipal officers and the Town Council believes it is necessary to have a Chief Building Official and a Deputy Building Official,

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS:

SECTION I. The Town council hereby appoints Steve Freeman as Chief Building Official, and Bryan Ausenbaugh as Deputy Chief Building Official.

SECTION II. The Chief and Deputy Building Officials shall have primary responsibility for the enforcement of all town building related ordinances consistent with Town ordinances.

SECTION III. This Ordinance shall become effective from and after its date of passage.

PASSED AND APPROVED by the Town Council of the Town of Lakewood Village, Texas this the 13th day of August, 2015.

Mark Vargus
Mayor

ATTEST:

Linda Asbell
Town Secretary, TRMC



MEMORANDUM

TO: Town Council
FROM: Linda Asbell, TRMC, Town Secretary
DATE: August 10, 2015
RE: Agenda Item C.2. – CCN Agreement between Lakewood Village and Little Elm

The Town Attorney is currently reviewing the agreement. The final agreement will be provided to you prior to the start of the council meeting.

MDD Budget FY2015-2016

	2014 ACTUAL	2015 BUDGET	YTD 30-Jul-15	2016 BUDGET
<i>Operating Revenues</i>				
Interest	\$9	\$10	\$6	\$10
Sales Tax	\$8,662	\$8,160	\$14,639	\$15,000
Water Revenue	\$14,972	\$16,000	\$12,131	\$14,200
Late Fees	\$287	\$350	\$402	\$400
Overpayments	\$96	\$0	\$0	\$0
Adjustments	\$1	\$0	\$0	\$0
Miscellaneous	\$25	\$0	\$0	\$0
	\$24,053	\$24,520	\$27,179	\$29,610
<i>Operating Expenses</i>				
Operator	\$2,400	\$2,400	\$1,800	\$2,400
Fee for Svcs (Admin)	\$2,200	\$4,200	\$3,150	\$4,250
TCEQ Licensing Fee	\$0	\$175	\$0	\$175
Electricity	\$1,081	\$1,200	\$767	\$1,200
Repairs	\$293	\$600	\$1,078	\$1,500
Chemicals	\$234	\$200	\$0	\$200
Laboratory	\$853	\$600	\$679	\$720
Capital Improvements	\$0	\$0	\$0	\$11,165
Debt Servicing	\$15,590	\$12,000	\$14,019	\$0
LWV Road Project	\$0	\$2,720	\$4,879	\$5,000
Postage	\$0	\$0	\$0	\$0
Office Supplies	\$0	\$0	\$0	\$0
LWV Operating Loan Interest	\$1,510	\$400	\$430	\$0
Asset Acquisition	\$0	\$0	\$0	\$3,000
Contingency	\$939	\$0	\$160	\$0
	\$25,101	\$24,495	\$26,961	\$29,610

Operating Income

(\$1,047)	\$25	\$217	\$0
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Non Operating Cash Flow

Sales Tax	\$8,662	\$8,160	\$14,639	\$15,000
Debt Servicing	\$15,590	\$12,000	\$14,019	\$0
LWV Road Project	\$0	\$2,720	\$4,879	\$5,000

Net Surplus/Deficit

(\$6,928)	(\$6,560)	(\$4,259)	\$10,000
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MEMORANDUM

TO: Town Council
FROM: Linda Asbell, TRMC, Town Secretary
DATE: August 10, 2015
RE: Agenda Item C.4. – Fiscal Year 2015-2016 EDC Budget

The EDC has a meeting scheduled to begin at 6pm on August 13, just prior to the council meeting. It is expected that the EDC will approve a budget at that meeting and provide it to council just prior to the start of the council meeting.



VARIANCE REQUEST

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillagetx.us

BUILDING DEPARTMENT

REVISED: 10/09/2014

APPLICANT / OWNER

Applicant Name

SAM ELPAZZABI

Address

420
~~888~~ Hillside Dr.

Day Time Telephone

714-789-9551

Email

BARINGERHOMES@yahoo.com

Owner Name

Same as Applicant? ☐ Yes

Address

SAM ELPAZZABI

Day Time Telephone

714-789-9551

Email

PROPERTY

Address or General Location

Hillside Drive (#420)

Legal Description (If Platted)

Section 1, Blk F, Lot 5

Lot Size

☒ Square Feet OR ☐ Acres

Zoning Classification

7610

SF-District 1

Existing Use of Land and/or Building(s)

lot

REQUESTED VARIANCE

Variance to Section(s) of the Ordinance

Front facing garage. Garage size 20.5' x 22' deep.

Current Ordinance Requirement(s)

Garage size 25' x 22' deep.

Requested Variance(s)



VARIANCE REQUEST

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillagetx.us

BUILDING DEPARTMENT

REVISED: 10/09/2014

SUBMITTAL REQUIREMENTS

If the applicant is not the owner, a letter signed and dated by the owner certifying their ownership of the property and the authorizing the applicant to represent the person, organization, or business that owns the property.

If not platted, a metes and bounds legal description of the property.

A written statement documenting the reason for the variance(s), including evidence that the request complies with the following criteria as required for approval of a variance.

- 1) A unique physical condition exists within or adjacent to the subject tract or structure(s) located thereon which distinguishes it from other similarly situated, and which creates an exceptional hardship, difficulty, or inequity that would result from literal enforcement of the ordinance;
- 2) The condition or characteristic noted above is not caused by an action of the property owner, occupant, or applicant;
- 3) The variance is the minimum amount necessary to allow a reasonable use of the property;
- 4) The sole reason for the variance is not a desire of the owner, occupant, or applicant for increased financial gain or reduced financial hardship;
- 5) The variance will not adversely affect public health or safety, and will not substantially or permanently interfere with the appropriate use of adjacent conforming property in the same district; and,
- 6) The variance will not alter the essential character of the zoning district within which the subject property is located, and is in harmony with the intent and purposes of the zoning ordinance.

Site plan, submitted on drawing sheet size 11" X 17", showing:

- 1) Scale and north arrow;
- 2) Location of site with respect to streets and adjacent properties;
- 3) Property lines and dimensions;
- 4) Location and dimensions of buildings;
- 5) Building setback distances from property lines;
- 6) Location, dimensions, and surface type of off-street parking spaces and loading areas; and
- 7) Any other proposed features of the site which are applicable to the requested variance.

NOTICE

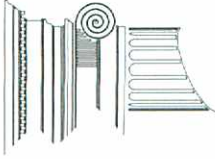
To the best of my knowledge, this application and associated documents are complete and correct, and it is understood that I or another representative should be present at all public meetings concerning this application.

Applicant Signature

W.C. Freese

Date

8-4-2015



Martinez
Design

Tel: 972-891-1160
Tel: 972-891-1212
martinezdesign.com

GENERAL NOTES

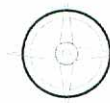
1. THE GENERAL CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES PRIOR TO THE START OF CONSTRUCTION.
2. THESE PLANS ARE INTENDED FOR THE GENERAL CONTRACTOR'S USE ONLY. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES PRIOR TO THE START OF CONSTRUCTION.
3. THE GENERAL CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES PRIOR TO THE START OF CONSTRUCTION.
4. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND ALL APPLICABLE STATE AND LOCAL ORDINANCES.
5. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE ANY ENGINEERING NECESSARY FOR THE PROJECT. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE AND FEDERAL AGENCIES PRIOR TO THE START OF CONSTRUCTION.

SQUARE FOOTAGE

Living Area	1,500.0 SF
Porch Area	80.0 SF
Closet Area	40.0 SF
Covered Patio Area	180.0 SF

LEGEND

SYMBOL	ITEM DESCRIPTION
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Project Name:

NEW HOUSE

Project Address:

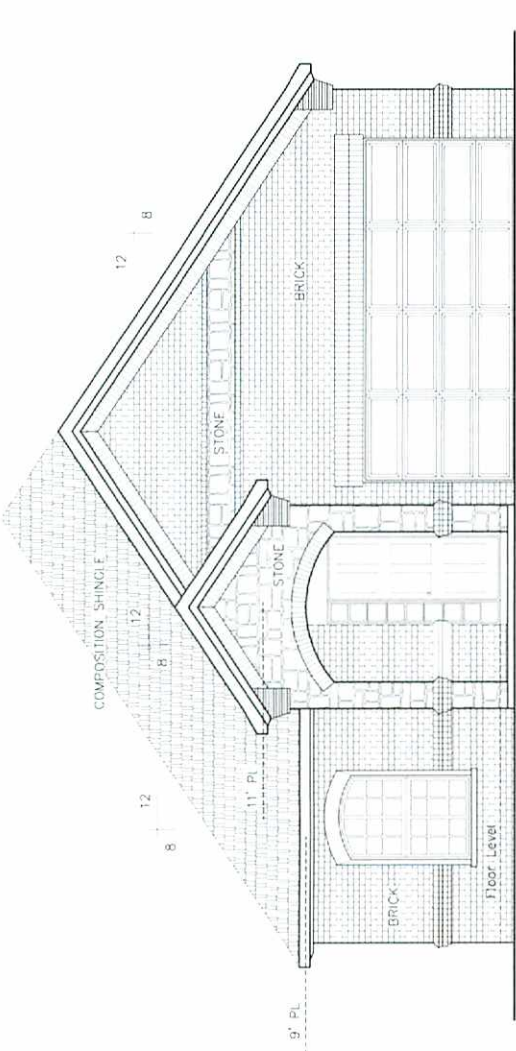
447 HILLSIDE DR
LITTLE ELK, TX 75068

Project Name:

ELEVATIONS

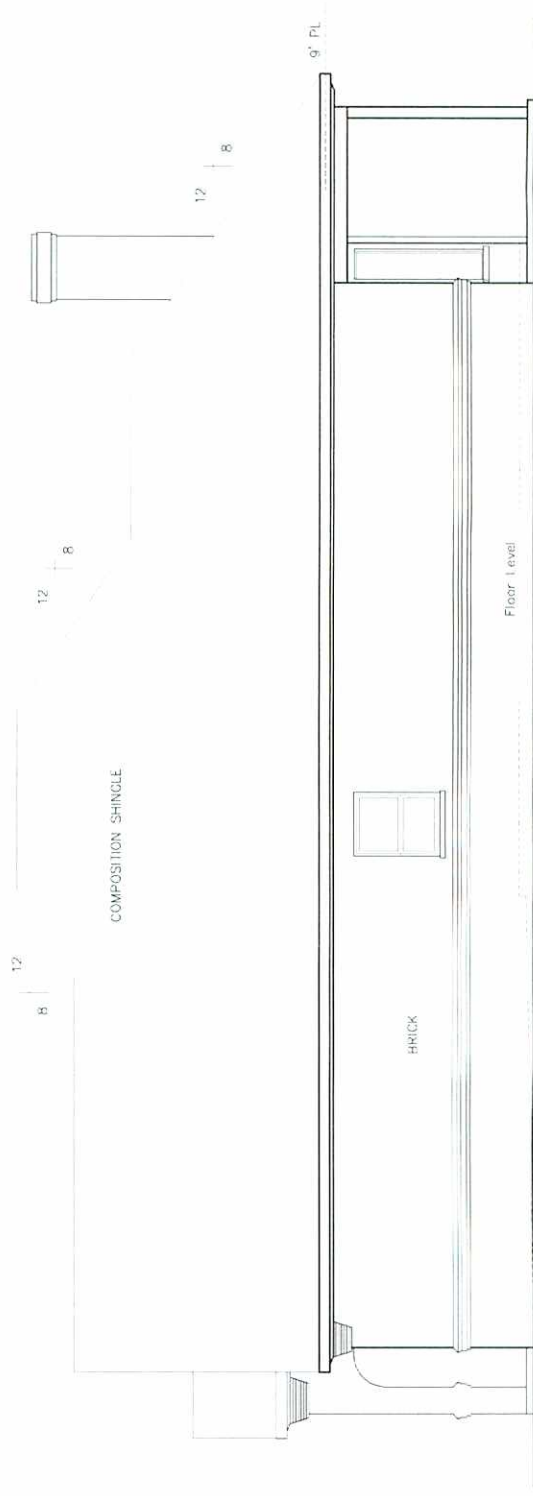
Project No: H0465-1015
Date: 06-07-2015
Scale: 1/4" = 1'-0"

Sheet No: A-9



FRONT ELEVATION

SCALE : 1/4" = 1'-0"



RIGHT ELEVATION

SCALE : 1/4" = 1'-0"



Martinez
Design
Tel: 972.991.4190
Fax: 972.991.4191
martinezdesign@gmail.com

GENERAL NOTES

1. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND VERIFY THE ACCURACY OF ALL DIMENSIONS AND LOCATIONS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION.
2. ALL DIMENSIONS ARE INTENDED TO BE FINISH UNLESS OTHERWISE NOTED. DIMENSIONS SHALL BE MEASURED TO THE FACE OF THE MATERIAL UNLESS OTHERWISE NOTED.
3. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND VERIFY THE ACCURACY OF ALL DIMENSIONS AND LOCATIONS PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION.
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10. ALL DIMENSIONS ARE INTENDED TO BE FINISH UNLESS OTHERWISE NOTED. DIMENSIONS SHALL BE MEASURED TO THE FACE OF THE MATERIAL UNLESS OTHERWISE NOTED.

SQUARE FOOTAGE

LANDING AREA	1,500.0 S.F.
PORCH AREA	87.0 S.F.
GARAGE AREA	428.0 S.F.
COVERED PATIO AREA	160.0 S.F.

LEGEND

SYMBOL	ITEM DESCRIPTION
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Project Name:

NEW HOUSE

Project Address:

447 HILLSIDE DR
LITTLE ELM, TX 75068

Client Name:

ELEVATIONS

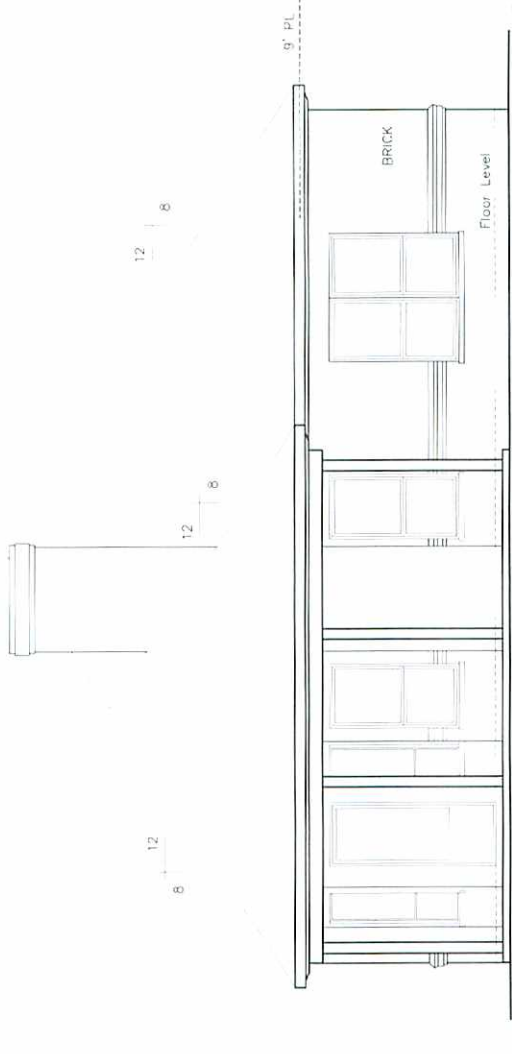
Project No.: HQ-65-1015

Drawn By: JAM

Date: 06-07-2015

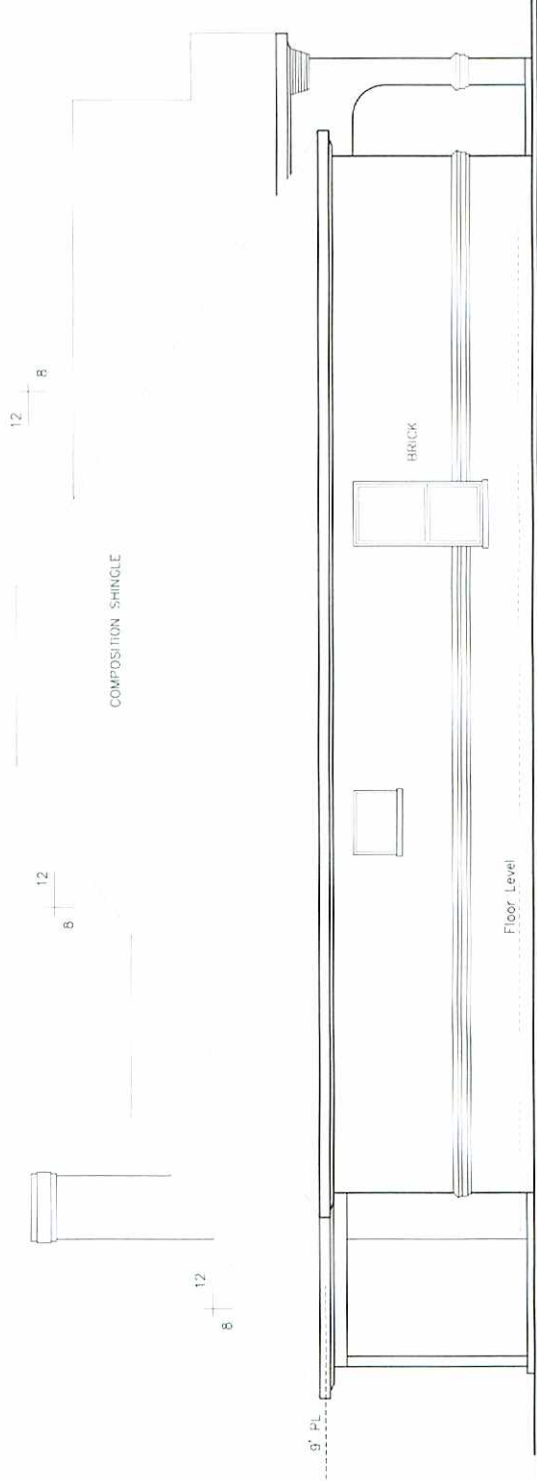
Scale: 1/4" = 1'-0"

Sheet No.: A-11



REAR ELEVATION

SCALE : 1/4" = 1'-0"



LEFT ELEVATION

SCALE : 1/4" = 1'-0"



Martinez
Design

Tel: 972.891.4100
Tel: 972.871.2912
martinezdesign@gmail.com

GENERAL NOTES

1. THE GENERAL CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS AND THE DALLAS COUNTY HEALTH DEPARTMENT BEFORE COMMENCING CONSTRUCTION.
2. THE GENERAL CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS AND THE DALLAS COUNTY HEALTH DEPARTMENT BEFORE COMMENCING CONSTRUCTION.
3. THE GENERAL CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS AND THE DALLAS COUNTY HEALTH DEPARTMENT BEFORE COMMENCING CONSTRUCTION.
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10. THE GENERAL CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS AND THE DALLAS COUNTY HEALTH DEPARTMENT BEFORE COMMENCING CONSTRUCTION.

SQUARE FOOTAGE

LIVING AREA	1,500.0 S.F.
PORCH AREA	87.0 S.F.
GARAGE AREA	428.0 S.F.
COVERED PATIO AREA	180.0 S.F.

LEGEND

SYMBOL	ITEM DESCRIPTION
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Project Name:

NEW HOUSE

Project Address:

447 HILLSIDE DR.
LITTLE ELM, TX 75068

Sheet Name:

SITE PLAN

Project #:

Drawn By:

JAM

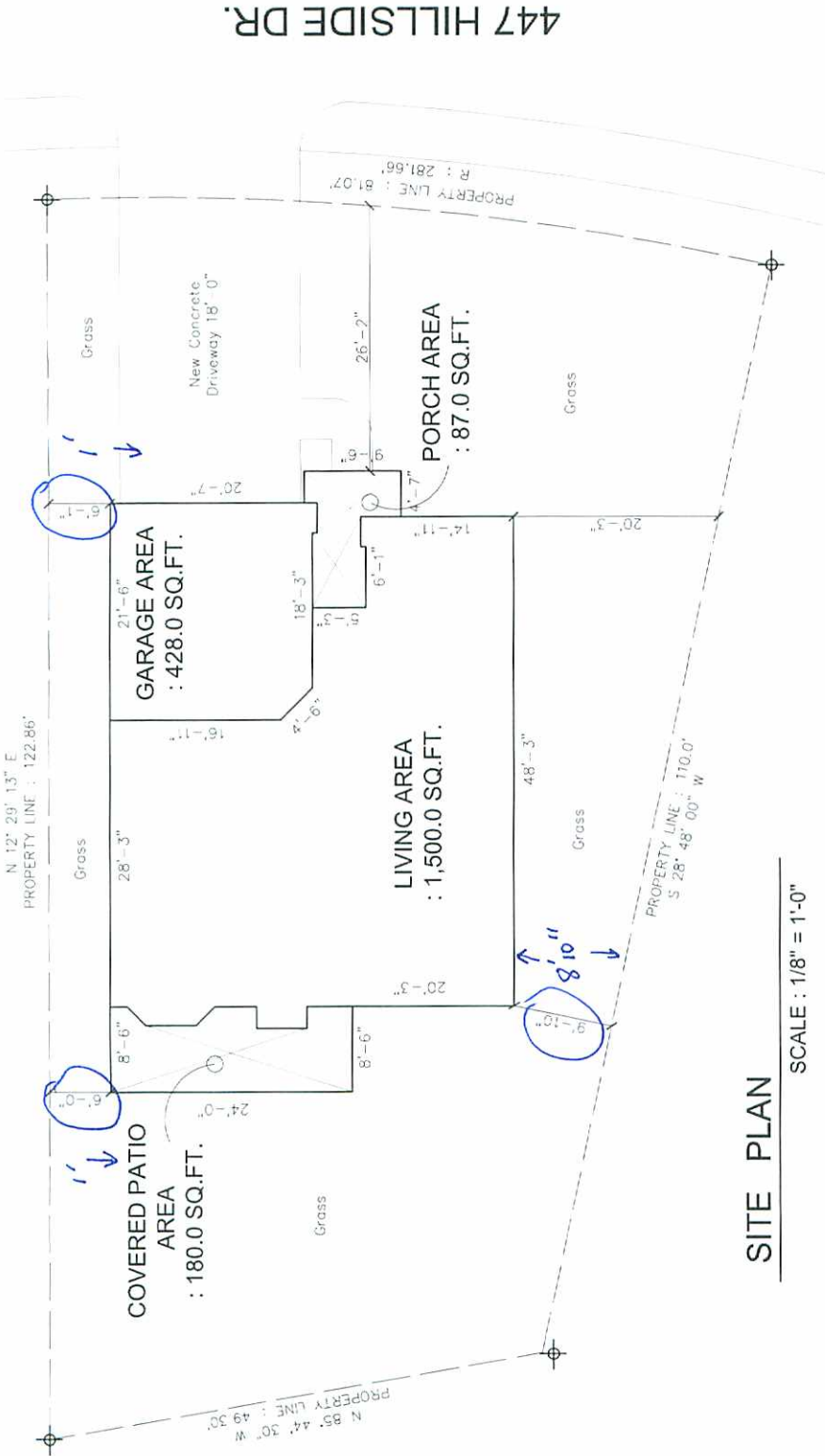
Scale:

06-07-2015

1/8" = 1'-0"

Sheet #:

A-1



PROJECT DATA

ADDRESS: 447 HILLSIDE DRIVE

LOT No.: 5

BLOCK No.: F

AREAS IN SQUARE FEET

NEW HOUSE LIVING AREA: 1,500.0 S.F.

NEW PORCH AREA: 87.0 S.F.

NEW COVERED PATIO AREA: 180.0 S.F.

NEW GARAGE AREA: 428.0 S.F.

GENERAL NOTES

- [illegible]

SQUARE FOOTAGE

LIVING AREA:	1500.0 S.F.
PORCH AREA:	81.0 S.F.
GARAGE AREA:	428.0 S.F.
COVERED PATIO AREA:	180.0 S.F.

LEGEND

SYMBOL	ITEM DESCRIPTION
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Project Name:

NEW HOUSE

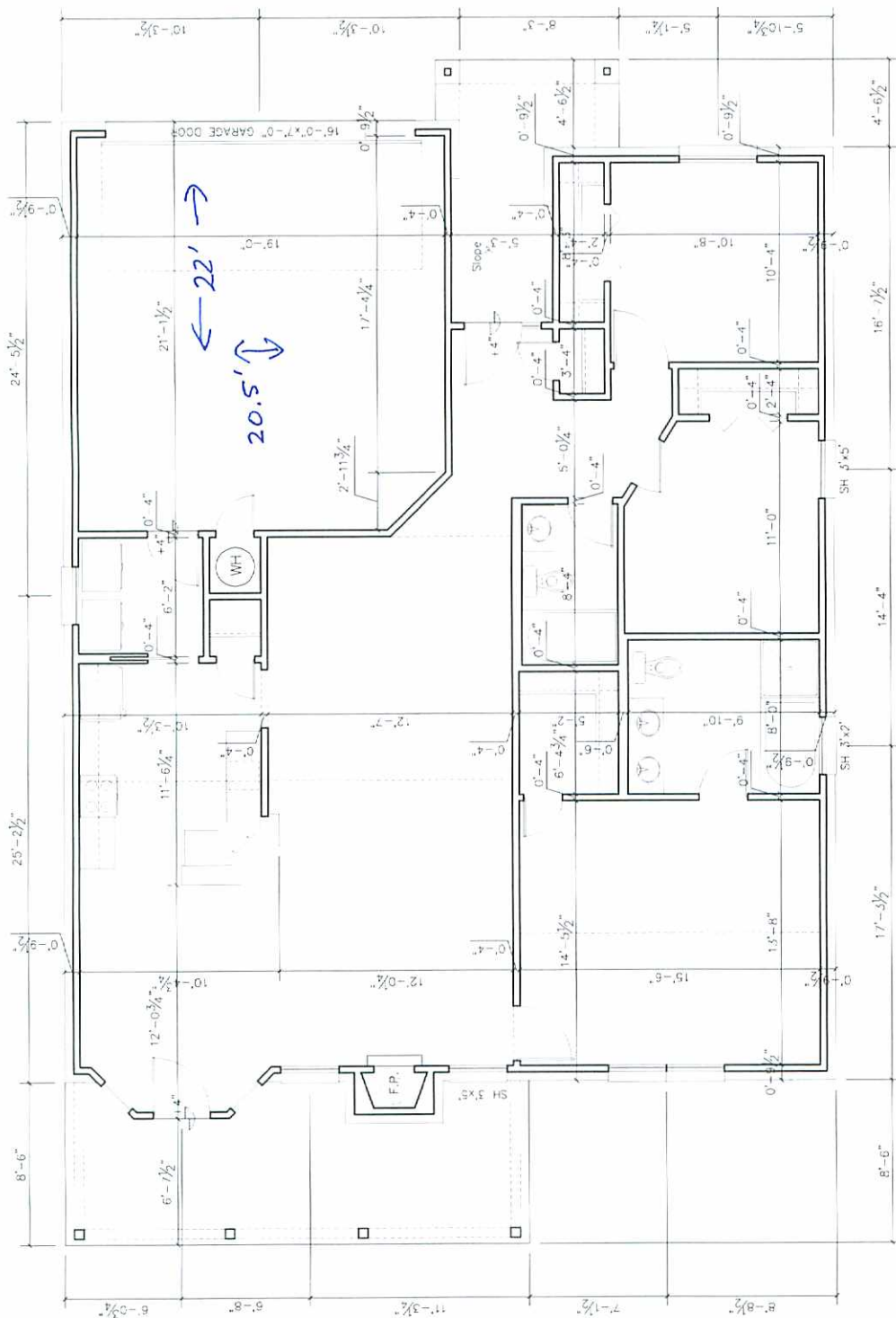
Project Approval:

447 HILLSIDE DR.
LITTLE ELM, TX 75068

DIMENSIONS PLAN

Project #:	HO#65-1015	Drawn By:	JAM
Date:	08-07-2015	Scale:	1/4" = 1'-0"

A-3



DIMENSIONS PLAN

SCALE : 1/4" = 1'-0"

Linda Asbell

From: Osama Elazzabi <oalazabi@gmail.com>
Sent: Tuesday, August 04, 2015 2:54 PM
To: Linda@lakewoodvillagetx.us
Subject: Variance request

Dear Linda

I do authorize mr van to file the variances request on my behalf Osama Elazzabi

best regards



BUILDING DEPARTMENT

VARIANCE REQUEST

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillagetx.us

REVISED: 10/09/2014

APPLICANT / OWNER

Applicant Name	Address
Dion & Julie Petaros	770 Carrie Lane
Day Time Telephone	Lakewood Village, TX 75068
972-987-4494	
Email	
petaros@yahoo.com	
Owner Name	Same as Applicant? <input checked="" type="checkbox"/> Yes
Day Time Telephone	Address
Email	

PROPERTY

Address or General Location	
770 Carrie Lane, Lakewood Village, TX 75068	
Legal Description (If Platted)	
Lot 22, Block A, The Shores of Lakewood Village, Section Five-Phase Three	
Lot Size <input type="checkbox"/> Square Feet OR <input checked="" type="checkbox"/> Acres	Zoning Classification
1.014	R (Residential)
Existing Use of Land and/or Building(s)	
Residence	

REQUESTED VARIANCE

Variance to Section(s) of the Ordinance
03-04 Fences Ordinance, Section 8.00, 1(c)
Current Ordinance Requirement(s)
Front yard. No fence (shall be) permitted in the front yard unless a part of the landscaping or a decorative screen, but in no case shall the fence exceed three (3) feet in height
Requested Variance(s)
Construction of eight (8) foot high "simulated stone" vinyl fence six inches West of side property line to a point 18 feet forward of existing 770 Carrie Lane building line, adjacent to, and not forward of, the existing chain link fence, constructed by the owners of 760 Carrie Lane, located on the same property line. This variance request is part of a fence project, the remainder of which complies with all applicable ordinances.



BUILDING DEPARTMENT

VARIANCE REQUEST

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillagetx.us

REVISED: 10/09/2014

SUBMITTAL REQUIREMENTS

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- 6) The variance will not alter the essential character of the zoning district within which the subject property is located, and is in harmony with the intent and purposes of the zoning ordinance.

Site plan, submitted on drawing sheet size 11" X 17", showing:

- 1) Scale and north arrow;
- 2) Location of site with respect to streets and adjacent properties;
- 3) Property lines and dimensions;
- 4) Location and dimensions of buildings;
- 5) Building setback distances from property lines;
- 6) Location, dimensions, and surface type of off-street parking spaces and loading areas; and
- 7) Any other proposed features of the site which are applicable to the requested variance.

NOTICE

To the best of my knowledge, this application and associated documents are complete and correct, and it is understood that I or another representative should be present at all public meetings concerning this application.

Applicant Signature

Date

31 JULY 2015

PROPERTY LINE → 6' VINYL CLAD CHAIN LINK FENCE 120' ↓



↑ EXISTING FENCE

136'

770 CARRIE

EXISTING FENCE & GATE

760 CARRIE
EXISTING FENCE

HOUSE

48'

81'

NEW FENCE
(ADJACENT TO
EXISTING 6'
CHAIN LINK
FENCE)

PORCH

HOUSE

PORCH

PLAN FOR 770 CARRIE LANE FENCE PROJECT

Fence project at 770 Carrie Lane

The fence ordinance for Lakewood Village is vague at best, and certainly open to interpretation as to whether the "building line" verbiage is related to the structure or the required setback on the property. Also, the ordinance does not specify which forward "building line", if one were to interpret the ordinance as meaning a physical structure on a property, especially when one of the adjacent properties involves construction years after the original construction on the other property. This is especially applicable when the new construction includes locating a structure nearly sixty (60) feet forward of the original (property at 770 Carrie Lane) structure the building inspector deems as "controlling". As the property owners at 760 Carrie have elected to build their house so far forward of all the other houses on this side of Carrie Lane, but especially concerning the property at 770 Carrie, the case of the fence request for 770 Carrie Lane is a unique situation which requires a unique response. The structure at 760 Carrie Lane places their pool and back patio directly adjacent and within twenty-four feet 24 feet of our (770 Carrie Lane) master bedroom windows.

As a result of this location and proximity, numerous incidents have arisen necessitating the installation of a video surveillance system. This system is being used to document occurrences for possible use in future actions. Should the council require additional information regarding this, we will be glad to furnish it in closed session. Construction of this fence to the forward point of the existing six (6) foot vinyl clad chain link fence, constructed by the owners of 760 Carrie Lane and located precisely on the property line between the two properties involved, is necessary in order to stop these incidents. Our waiver request is to construct our fence, to ensure privacy, only to the forward point of the fence already existing on the property line between these two properties.

Additional reasons for our constructing this fence to the forward limit requested are to relieve the nuisance occurrences regarding noise and animal issues. Once again, these issues are directly related to the owners of 760 Carrie Lane constructing their residence, including pool and patio, in such proximity and so far forward of our residence as to regularly create a noise nuisance whenever they are using their pool or patio. This nuisance is exacerbated on weekends and holidays when visitors to 760 Carrie Lane become very loud and play music extremely loud. As the type of fence we are installing has sound barrier properties, constructing the fence to the limit of eighteen (18) feet forward of our house structure will substantially reduce the noise nuisance. Regarding animal nuisance, their small dog barks continuously when outdoors which is especially problematic as the barking occurs at all hours of the day and night. This interferes with our ability to enjoy our home/property and further interferes with our ability to sleep. They also routinely have a large black dog staying on the property. When my wife attempts to garden in our front or side yard, this dog raises up with front paws on the top of their chain link fence, which is only four (4) feet above their retaining wall, on the property line (adjacent to the patio at 760 Carrie Lane and our side and front yard), becomes menacing and growls to the point of scaring my wife away. This further precludes our right to peaceful and quiet enjoyment of our property.

Construction of this fence within the parameters of the project, is required to resolve the above stated issues, but also demonstrates our intent to preserve our property rights and the right to peaceful and quiet enjoyment of our property. This preservation of our rights will also allow the owners of the property at 760 Carrie Lane the ability to peacefully enjoy their property. This fence project is designed relieve the necessity of engaging in further actions to protect our rights and ensure the safety of my family and property.



BUILDING DEPARTMENT

PROJECT PERMIT

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillagetx.us

REVISED: 10/09/2014

PERMIT TYPE

☐ MECHANICAL ☐ ELECTRICAL ☐ PLUMBING ☐ IRRIGATION ☐ FLATWORK ☐ FENCE ☒ STRUCTURE ☐

PROPERTY OWNER INFORMATION

Property Owner

Dion & Julie Petaros

Notes

See attached Documents

Property Owner Address

770 Carrie Lane

Lakewood Village, TX 75068

CONTRACTOR INFORMATION

Contact Name

John Davis

Business Address

2509 Minnis Stre

Business Name

Acme Fence Company

Registered with Town? ☐ Yes

Haltom City, TX

Office Number

817-831-8880

Mobile Number

\$25 permit
fee paid

DESCRIPTION OF WORK

Class of Work: ☐ New ☒ Addition ☒ Alteration ☐ Repair

Replace 136 feet of 6 foot vinyl clad chain link fence with 8 foot vinyl "simulated stone" fence and add 48 feet of 8 foot vinyl fence along the same property line. See attached documents.

NOTICE

This permit shall become null and void if work or construction authorized is not commenced within 180 days, or if work or construction is suspended or abandoned for a period of one hundred eighty (180) days at any time work is commenced.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions and laws and ordinances governing this type of work will be compiled with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provision of any other state or local law regulating construction or performance of construction.

Signature

Date

31 JULY 2015

TOWN USE ONLY

Permit Expiration

Date Paid

☐ Check # ☐ Money Order

Fee

FENCE PROJECT FOR 770 CARRIE LANE – JULY 2015

EXAMPLE OF SIMULATED STONE VINYL FENCE

FENCE IS FINISHED (IDENTICALLY) ON BOTH SIDES



Plan for 770 Carrie Lane is to replace existing 138' Vinyl clad Chain Link Fence (from property line with 760 Carrie Lane) with 8' Simulated Stone Vinyl Fence. Plan further includes extending new fence an additional 48' southward towards the street along the same property line. This new (extended) fencing will end at the point where the existing fence DIRECTLY ON THE PROPERTY LINE WITH 760 CARRIE CURRENTLY ENDS approximately 18 feet forward of the front corner of the structure (our house) at 770 Carrie Lane. None of the new (extended) fence (extended forward of the purported 770 Carrie Lane front building line) will extend beyond the existing six (6) foot chain link fence located on the property line with and constructed by the owners of 760 Carrie Lane.

This fence project is required to ensure noise and most importantly, visual (especially into our master bedroom windows) privacy from the adjacent property. Past incidents have already required installation of a closed circuit video surveillance system for documentation.

120' of the existing (being removed from the property line with 760 Carrie) vinyl clad chain link fence will be relocated to the back property line, approximately 18' North of the existing vinyl clad chain link fence on the back side of the property.

PROPERTY LINE → 6' VINYL CLAD CHAIN LINK FENCE 120' ↓



↑ EXISTING FENCE

136'

770 CARRIE

EXISTING FENCE & GATE

760 CARRIE
EXISTING FENCE

HOUSE

48'

10'

NEW FENCE
(ADJACENT TO
EXISTING 6'
CHAIN LINK FENCE)

PORCH

HOUSE

PORCH

PLAN FOR 770 CARRIE LANE FENCE PROJECT

**TOWN OF LAKEWOOD VILLAGE
ELECTRICAL CODE 15-xx**

AN ORDINANCE TO ADOPT THE 2011 NATIONAL ELECTRICAL CODE, WITHIN THE TOWN OF LAKEWOOD VILLAGE AND THE TOWN OF LAKEWOOD VILLAGE EXTRATERRITORIAL JURISDICTION; PROVIDING A SAVINGS/REPEALING CLAUSE, PROVIDING A PENALTY CLAUSE, PROVIDING A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Lakewood Village, Texas (“Town Council”) has investigated and determined that it would be advantageous and beneficial to the citizens of the Town of Lakewood Village, Texas and the citizens inside the Town of Lakewood village Extraterritorial Jurisdiction (collectively “Lakewood Village”) to adopt the 2011 Edition of the National Electrical Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, THAT:

Section 1: Findings

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2: Adoption of the 2011 National Electrical Code

The National Electrical Code, 2011 Edition, copyrighted by the National Fire Protection Association, including Annex H, save and except the deletions and amendments set forth in Exhibit "A", attached hereto and incorporated herein for all purposes, is hereby adopted as the Electrical Code for Lakewood Village, regulating the construction, alteration, removal, use and/or maintenance of any electrical wiring, apparatus, device or system within Lakewood Village (the "2011 National Electrical Code"). The 2011 National Electrical Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Electrical Code 11-08 ordinance is hereby repealed in its entirety.

Section 4: Penalty Clause

A. Violation

A person who knowingly violates any provision of this chapter is guilty of separate offenses for each day during which the violation is continued after notification. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this ordinance.

B. Fine

Each offense is punishable by a fine of not more than two-thousand (\$2,000) nor less than two-hundred (\$200). The minimum fine established in this paragraph shall be doubled for the second conviction of the same offense within any 24-month period and tripled for the third and subsequent convictions of the same offense within any 24-month period. At no time shall the minimum fine exceed the maximum fine established in this paragraph.

Section 5: Legal Rights

The penal provision imposed under this Ordinance shall not preclude the Town of Lakewood Village from filing suit to enjoin the violation. The Town of Lakewood Village retains all legal rights and remedies available to it pursuant to local, state, and federal law.

Section 6: Severability

A. Unconstitutional or Invalid Section

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect.

B. Independent Sections

The Town hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and/or phrases be declared unconstitutional or invalid.

Section 7: Estoppel / Waiver

The failure of the Town to enforce any term or condition of this Ordinance shall not constitute a waiver or estoppel or any subsequent violation of this Ordinance.

Section 8: Effective Date

The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.

PASSED AND APPROVED by the Town Council of the Town of Lakewood Village, Texas this the xxth day of Xxxx, 2015.

Mark Vargus
Mayor

ATTEST:

Linda Asbell
Town Secretary, TMRC

Exhibit A

Town of Lakewood Village Amendments

2011 National Electrical Code



ELECTRICAL CODE

Adopted: Xxxx xx, 2015

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CHAPTER 2. WIRING AND PROTECTION

The following additions, deletions and amendments to the 2011 National Electrical Code adopted herein and hereby adopted.

ARTICLE 230 SERVICES

The following additions, deletions and amendments to the 2011 National Electrical Code adopted herein and hereby adopted.

230.71 Maximum Number of Disconnects

(A) General. The service disconnecting means for each service permitted by 230.2, or for each set service-entrances conductors permitted by 230.40. Exception No. 1, 3, 4, or 5, shall consist of not more than six switches or sets of circuit breakers, or a combination of not more than six switches and sets of circuit breakers, mounted in a single enclosure, in a group of separate enclosures, or in or on a switchboard. There shall be not more than six sets of disconnects per service grouped in any one location.

For the purpose of this section, disconnecting means installed as part of listed equipment and used solely for the following shall not be considered a service disconnecting means:

- (1) Power monitoring equipment
- (2) Surge-protective devices(s)
- (3) Control circuit of the ground-fault protection system
- (4) Power-operable service disconnecting means

Exception: Multi-occupant buildings. Individual service disconnecting means is limited to six for each occupant. The number of individual disconnects at one location may exceed six.

CHAPTER 3. WIRING METHODS AND MATERIALS

The following additions, deletions and amendments to the 2011 National Electrical Code adopted herein and hereby adopted.

ARTICLE 310 CONDUCTORS FOR GENERAL WIRING

The following additions, deletions and amendments to the 2011 National Electrical Code adopted herein and hereby adopted.

310.106 Conductors

(A) Minimum Size of Conductors. The minimum size of conductors shall be as shown in Table 310.106(A), except as permitted elsewhere in this Code.

(B) Conductor Material. Conductors in this article shall be ~~of aluminum, copper-clad aluminum, or copper~~ unless otherwise specified.

Table 310.106(A) Minimum Size of Conductors

Conductor Voltage Rating (Volts)	Minimum Conductor Size (AWG) Copper
0 - 2,000	12
2,001 - 5,000	8
5,001 - 8,000	6
8,001 - 15,000	2
15,001 – 28,000	1
28,001 – 35,000	1/0

ARTICLE 334 NONMETALLIC-SHEATHED CABLE: TYPES NM, NMC AND NMS

The following additions, deletions and amendments to the 2011 National Electrical Code adopted herein and hereby adopted.

334.12 Uses Not Permitted

(A) Types NM, NMC and MNS. Types NM, NMC and NMS cables shall not be permitted as follows:

- (1) In any dwelling or structure not specifically permitted in 334.10(1), (2) and (5).
- (2) Exposed in dropped or suspended ceilings in other than one- and two-family and multifamily dwellings.
- (3) As service-entrance cable.
- (4) In commercial garages having hazardous (classified) locations as defined in 511.3.
- (5) In theaters and similar locations, except where permitted in 518.4(B).
- (6) In motion picture studios
- (7) In storage battery rooms
- (8) In hoist ways or on elevators or escalators
- (9) Embedded in poured cement, concrete or aggregate.
- (10) In hazardous (classified) locations, except where specifically permitted by other articles in this Code.
- (11) In structures where it would be required to pass through either factory or field punched, cut or drilled slots or holes in metal members.

(B) Types NM and NMS. *(No edits)*

ANNEX H. ADMINISTRATION AND ENFORCEMENT

The 2011 National Electrical Code is amended by deleting the entire article and replacing it with the following:

[H] 101 GENERAL
[H] 101.1 Title

These regulations shall be known as the *National Electrical Code* of The Town of Lakewood Village hereinafter referred to as "this code."

[H] 101.2 Scope

The provision of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of electrical systems within this jurisdiction. This code shall also regulate the installation of electrical conductors, equipment, and raceways; signaling and communications conductors equipment, and raceways; and optical fiber cables and raceways as identified in Article 90 of this code. Provisions in the appendices shall not apply unless specifically adopted.

Exception

Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

[H] 101.3 Intent

The purpose of this code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of electrical systems and equipment.

[H] 102 APPLICABILITY**[H] 102.1 General**

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

[H] 102.2 Existing Installations

Electrical systems lawfully in existence at the time of the adoption of this code shall be permitted to have their use and maintenance continue if the use, maintenance or repair is in accordance with the original design and no hazard to life, health or property is created by such electrical system.

[H] 102.3 Maintenance

All electrical systems, materials and appurtenances, both existing and new, and all parts thereof, shall be maintained in proper operating condition in accordance with the original design in a safe condition. All devices or safeguards required by this code shall be maintained in compliance with the code edition under which they were installed. The owner or the owner's designated agent shall be responsible for maintenance of electrical systems. To determine compliance with this provision, the code official shall have the authority to require any electrical system to be reinspected.

[H] 102.4 Additions, Alterations or Repairs

Additions, alterations, renovations or repairs to any electrical system shall conform to that required for a new electrical system without requiring the existing electrical system to comply with all the

requirements of this code unless otherwise determined by the code official that it is necessary to change part of or all of the existing electrical system to safeguard life or limb, health, property and public welfare. Additions, alterations or repairs shall not cause an existing system to become unsafe, insanitary or overloaded. Minor additions, alterations, renovations and repairs to existing electrical systems shall meet the provisions for new construction, unless such work is done in the same manner and arrangement as was in the existing system, is not hazardous and is approved.

[H] 102.5 Change in Occupancy

It shall be unlawful to make any change in the occupancy of any structure that will be subject the structure to any special provision of this code applicable to the new occupancy without approval of the code official. The code official shall certify that such structure meets the intent of the provisions of the law governing building construction for the proposed new occupancy and that such change of occupancy does not result in any hazard to the public health, safety or welfare.

[H] 102.6 Moved Buildings

Except as determined by section 102.2, electrical systems that are a part of buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new installations.

[H] 102.7 Referenced Codes and Standards

The codes and standards referenced in this code, when specifically adopted, shall be considered as part of the requirements of this code to the prescribed extent of each such reference. Where the differences occur between provisions of this code and the referenced standards, the provisions of this code shall be the minimum requirements. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well.

[H] 102.7.1 Conflicts

Where conflicts occur between provisions of this code and the referenced standards, the provision of this code shall apply.

[H] 107.2 Provision in Referenced Codes and Standards

Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provision of this code, as applicable, shall take precedence over the provisions in the 'referenced code or standard.

[H] 102.8 Requirements not Covered by Code

Any requirements necessary for the strength, stability or proper operation of an existing or proposed electrical system, or for public safety, health and general welfare, not specifically covered by this code shall be determined by the code official.

[H] 102.9 Other Laws

The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

[H] 102.10 Application of References

Reference to chapter section numbers, or provision not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

[H] 103 DEPARTMENT OF ELECTRICAL INSPECTION**[H] 103.1 General**

The department of electrical inspection is hereby created and the executive official in charge thereof shall be known as the code official.

[H] 103.2 Appointment

The code official shall be appointed by the chief appoint authority of the jurisdiction.

[H] 103.3 Deputies

In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appoint authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees. Such employees shall powers as delegated by the code official.

[H] 103.4 Liability

The code official, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final terminate of the proceedings. The code official or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

[H] 104 DUTIES AND POWERS OF THE CODE OFFICIAL**[H] 104.1 General**

The code official is hereby authorized and directed to enforce the provision of this code. The code official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and

procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

[H] 104.2 Applications and Permits

The code official shall receive applications, review construction documents and issue permits for the installation and alteration of electrical systems, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of this code.

[H] 104.3 Inspections

The code official shall make all the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report on unusual technical issues that arise, subject to the approval of the appoint authority.

[H] 104.4 Right of Entry

Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in any building or upon an premises any conditions or violations of this code that make the building or premises unsafe, dangerous or hazardous, the code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed upon the code official by this code. If such building or premises is occupied, the code official shall be present credentials to the occupant and request entry. If such building or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the code official shall have recourse to every remedy provided by law to secure entry. When the code official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or person having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the code official for the purpose of inspection and examination pursuant to this code.

[H] 104.5 Identification

The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

[H] 104.6 Notices and Orders

The code official shall issue all necessary notices or orders to ensure compliance with this code.

[H] 104.7 Department Records

The code official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records.

[H] 105 APPROVAL**[H] 105.1 Modifications**

Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification conforms to the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the files of the electrical inspection department.

[H] 105.2 Alternative Materials, Methods and Equipment

The provisions of this code of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed alternative material, method or equipment complies with the intent of the provision of this code and is at least the equivalent of that prescribed in this code.

[H] 105.2.1 Research Reports

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

[H] 105.3 Required Testing

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternate materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction.

[H] 105.3.1 Test Methods

Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall approve the testing procedures.

[H] 105.3.2 Testing Agency

All tests shall be performed by an approved agency.

[H] 105.4 Approved materials and Equipment

Materials, equipment and devices approved by the code official shall be constructed and installed in accordance with such approval.

[H] 105.4.1 Material and Equipment Reuse

Materials, equipment and devices shall not be reused unless such elements have been reconditions, tested, placed in good and proper working condition and approved.

[H] 106 PERMITS**[H] 106.1 When Required**

Any owner, authorized agent or contractor who desires to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the code official and obtain the required permit for the work.

[H] 106.2 Exempt Work

The following work shall be exempt from the requirements for a permit:

1. The work identified in Article 90.2(B) as not being covered by this Code.

[H] 106.3 Application for Permit

Each application for a permit, with the required fee, shall be filed with the code official on a form furnished for that purpose and shall contain a general description of the proposed work and its location. The application shall be signed by the owner or an authorized agent. The permit application shall indicate the proposed occupancy of all parts of the building and of that portion of the site or lot, if any, not covered by the building or structure and shall contain such other information required by the code official.

[H] 106.3.1 Construction Documents

Construction documents, engineering calculations, diagrams and other such data shall be submitted, as required by the code official, with each application for a permit. The code official shall require construction documents, computations and specifications to be prepared and designed by a registered design professional when required by state law. Construction documents shall be drawn to scale and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work conforms to the provisions of this code. Construction documents for buildings more than two stories in height shall indicate where penetrations will be made for pipes, conduits, wiring, equipment, fittings and components and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fire blocking.

Exception

The code official shall have the authority to waive the submission of construction documents, calculations or other data if the nature of the work applied for is such reviewing of the construction documents is not necessary to determine compliance with this code.

[H] 106.3.2 Preliminary Inspection

Before a permit is issued, the code official is authorized to inspect and evaluate the systems, equipment, buildings, devices, premises and spaces or areas to be used.

[H] 106.3.3 Time Limitation of Application

An application for a permit for any proposed work shall be deemed to have been abandoned 90 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued: except that the code official shall have the authority to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[H] 106.4 By Whom Application is Made

Application for a permit shall be made by the person or agent to install all or part of any electrical system. The applicant shall meet all qualifications established by statute, or by rules promulgated by this code, or by ordinance or by resolution. The full name and address of the applicant shall be stated in the application.

[H] 106.5 Permit Issuance

The application, construction documents and other data filed by an applicant for permit shall be reviewed by the code official. If the code official finds that the proposed work conforms to the requirements of this code and all laws and ordinances applicable thereto, and that the fees specified in Section [H] 106.6 have been paid, a permit shall be issued to the applicant.

[H] 106.5.1 Approved Construction Documents

When the code official issues the permit where construction documents are required, the construction documents shall be endorsed in writing and stamped "APPROVED." Such approved construction documents shall not be changed, modified or altered without authorization from the code official. All work shall be done in accordance with the approved construction documents. The code official shall have the authority to issue a permit for the construction of a part of a electrical system before the entire construction documents for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permit shall proceed at their own risk without assurance that the permit for the entire electrical system will be granted.

[H] 106.5.2 Validity

The issuance of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or any other ordinance of the jurisdiction. Not permit presuming to give authority to violate or cancel the provisions of this code shall be valid. The issuance of a permit based upon construction documents and other data shall not prevent the code official from thereafter required the correction of errors in said construction documents and other data or from preventing building

operations being carried on thereunder when in violation of this code of other ordinances of this jurisdiction.

[H] 106.5.3 Expiration

Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after the issuance, or if the work authorized by such permit is suspended, abandoned or lacks any required inspection for a period of 180 days after the time the work is commenced. The code official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

[H] 106.5.4 When Extensions

Any permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a period not exceeding 180 days if there is reasonable cause. Not permit shall be extended more than once. The fee for an extension shall be one-half the amount required for a new permit for such work.

[H] 106.5.5 Suspension or Revocation of Permit

The code official shall have the authority to suspend or revoke a permit issued under the provisions of this code wherever the permit is issued in error or on the basis on incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

[H] 106.5.6 Retention of Construction Documents

One set of approved construction documents shall be retained by the code official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. Once set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the building or work at all times during which the work authorized thereby is in progress.

[H] 106.5.7 Previous Approvals

This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within 180 days after the effective date of this code and has not been abandoned.

[H] 106.5.8 Posting of Permit

The permit or a copy shall be kept on the site of the work until the completion of the project.

[H] 106.6 Fees

A permit shall not be issued until the fees prescribed in Section 106.6.2 have been paid, and an amendment to a permit shall not be released until the additional fee, if any, due to an increase of the electrical systems, has been paid.

[H] 106.6.1 Work Commencing before Permit Issuance

Any person who commences any work on an electrical system before obtaining the necessary permits shall be subject to 100 percent of the usual permit fee in addition to the required permit fees.

[H] 106.6.2 Fee Schedule

The fees for all electrical work shall be as indicated in the Consolidated Fee Ordinance for the Town of Lakewood Village.

[H] 106.6.3 Fee Refunds

The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.
3. Not more than 50 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.

The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment.

[H] 107 INSPECTIONS AND TESTING**[H] 107.1 General**

The code official is authorized to conduct such inspections as are deemed necessary to determine compliance with the provisions of this code. Construction or work for which a permit is required shall be subject to inspection by the code official, and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the code official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

[H] 107.2 Required Inspections and Testing

The code official, upon notification from the permit holder or the permit holder's agent, shall make the following inspections and such other inspections as necessary, and shall either release that portion of the construction or shall notify the permit holder or an agent of any violations that must be corrected. The holder of the permit shall be responsible for the scheduling of such inspections.

1. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping and conduit installed, and before any backfill is put in place.
2. Rough-in inspection shall be made after the roof, framing, fire blocking, fire stopping, draft stopping and bracing is in place and all electrical systems are rough-in, and prior to the installation of wall or ceiling membranes.
3. Final inspection shall be made after the building is complete, all electrical fixtures are in place and properly connected, and the structure is ready for occupancy.

[H] 107.2.1 Other Inspections

In addition to the inspections specified above, the code official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced.

[H] 107.2.2 Inspection Requests

It shall be the duty of the holder of the permit or their duly authorized agent to notify the code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

[H] 107.2.3 Approval Required

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not covered or concealed until authorized by the code official.

[H] 107.2.4 Approved Agencies

The code official is authorized to accept reports of approved inspection agencies, provided that such agencies satisfy the requirements as to qualifications and reliability.

[H] 107.2.5 Evaluation and Follow-up Inspection Services

Prior to the approval of a closed, prefabricated, electrical system and the issuance of an electrical permit, the code official may require submittal of an evaluation report on each prefabricated electrical system indicating the complete details of the electrical system, including a description of the system and its components, the basis upon which the electrical system is being evaluated, test

results and similar information, and other data as necessary for the code official to determine conformance to this code.

[H] 107.2.5.1 Evaluation Service

The code official shall designate the evaluation service of an approved agency as the evaluation agency, and review such agency's evaluation report for adequacy and conformance to this code.

[H] 107.2.5.2 Follow-up Inspection

Except where ready access is provided to all electrical systems, service equipment and accessories for complete inspection at the site without disassembly or dismantling, the code official shall conduct the frequency of in-plant inspections necessary to ensure conformance to the approved evaluation report or shall designate an independent, approved inspection agency to conduct such inspections. The inspection agency shall furnish the code official with the follow up inspection manual and a report of inspections upon request, and the electrical system shall have an identifying label permanently affixed to the system indicating that factory inspection have been performed.

[H] 107.2.5.3 Test and Inspection Records

All required test and inspection records shall be available to the code official at all times during the fabrication of the electrical system and the erection of the building, or such records as the code official designates shall be filed.

[H] 107.3 Special Inspections

Special inspections of alternative engineered design electrical systems shall be conducted in accordance with Sections 107.3.1 and 107.3.2.

[H] 107.3.1 Periodic Inspection

The registered design professional or designated inspector shall periodically inspect and observe the alternative engineered design to determine that the installation is in accordance with the approved construction documents. All discrepancies shall be brought to the immediate attention of the electrical contractor for correction. Records shall be kept of all inspections.

[H] 107.3.2 Written Report

The registered design professional shall submit a final report in writing to the code official upon completion of the installation, certifying that the alternative engineered design conforms to the approved construction documents. A notice of approval for electrical system shall not be issued until a written certification has been submitted.

[H] 107.4 Testing

Electrical work and systems shall be tested as required by this code and in accordance with Sections 107.4.1 through 107.4.3. Tests shall be made by the permit holder and observed by the code official.

[H] 107.4.1 new, Altered, Extended or Repaired Systems

New electrical systems and parts of existing systems that have been altered, extended or repaired shall be inspected and tested as required by the code official.

[H] 107.4.2 Equipment, Material and Labor for Tests

All equipment, material and labor required for testing a electrical system or part thereof shall be furnished by the permit holder.

[H] 107.4.3 Reinspection and Testing

Where any work or installation does not pass any initial test or inspection, the necessary corrections shall be made to comply with this code. The work or installation shall then be resubmitted to the code official for inspection and testing.

[H] 107.5 Approval

After the prescribed tests and inspections indicate that the work complies in all respects with this code, a notice of approval shall be issued by the code official.

[H] 107.5.1 Revocation

The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provisions of this code wherever the notice is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provision of this code.

[H] 107.6 Temporary Connection

The code official is authorized to, in writing, suspend or revoke a notice of approval issued under the provision of this code wherever the notice issued in error, or on the basis of incorrect information supplied, or where it is determined that the build or structure, premise or portion thereof is in violation of any ordinance or regulation or any of the provision of this code.

[H] 107.7 Connection of Service Utilities

A person shall not make connections from a utility, source of energy, or power system to any building or system that is regulated by this code for with a permit is required until authorized by the code official.

[H] 108 VIOLATIONS**[H] 108.1 Unlawful Acts**

It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any electrical system, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

[H] 108.2 Notice of Violation

The code official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of electrical work in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

[H] 108.3 Prosecution of Violation

If the notice of violation is not complied with promptly, the code official shall request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

[H] 108.4 Violation Penalties

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair electrical work in violation of the *approved* construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of separate offenses for each day during which the violation is continued after notification.

[H] 108.5 Stop Work Orders

Upon notice from the code official, work on any electrical system that is being done contrary to the provision of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or that owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as required herein by this code.

[H] 108.6 Abatement of Violation

The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premise, or to stop an illegal act, conduct, business or utilization of the electrical system on or about an premises.

[H] 108.7 Unsafe Electrical Systems

Any electrical system regulated by this code that is unsafe or that constitutes a fire or health hazard, or is otherwise dangerous to human life is hereby declared unsafe. Any use of electrical systems regulated by this code constituting a hazard to safety, health or public welfare by reason of

inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is hereby declared an unsafe used. Any such unsafe electrical system is hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition or removal.

[H] 108.7.1 Authority to Condemn Equipment

Whenever the code official determines that any electrical system, or portion thereof, regulated by this code has become hazardous to life, health or property the code official shall order in writing that such electrical system either be removed or restored to a safe conditions. A time limit for compliance with such order shall be specified in the written notice. No person shall use or maintain a defective electrical system after receiving such notice. When such electrical system is to be disconnected, written notice as prescribed in Section 108.2 shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without notice.

[H] 108.7.2 Authority to Disconnect Service Utilities

The code official shall have the authority to authorize disconnection to utility service to the building, structure or system regulated by the technical codes in case of an emergency, where necessary, to eliminate an immediate danger to life or property. Where possible, the owner or occupant of the building, structure or service system shall be notified of the decision to disconnect utility service prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service systems shall be notified in writing, as soon as practical thereafter.

[H] 108.7.3 Connection after Order to Disconnect

No person shall make connections from any energy or power supply system or supply energy or power supply to any equipment regulated by this code that has been disconnected or ordered to be disconnected by the code official or the use of which has been ordered to be discontinued by the code official until the code official authorizes the reconnection and use of such equipment. When any electrical system is maintained in violation of this code, and in violation of any notice issued pursuant to the provisions of this section, the code official shall institute any appropriate action to prevent, restrain, correct or abate the violation.

[H] 109 MEANS OF APPEAL

[H] 109.1 Application for Appeal

Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the Town of Lakewood Village's enabling ordinance.

**End of Exhibit A****ADOPTION AND SUMMARY OF AMENDMENTS**

Ordinance Number	Date	Summary
15-xx		<ul style="list-style-type: none">• Removed amendments to Article 680• Removed amendments to Annex G• Added Annex H
11-08	April 14, 2011	REPEALED

ORDINANCE NO. 15-XX

AN ORDINANCE OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS, DISSOLVING THE TOWN OF LAKEWOOD VILLAGE 4B ECONOMIC DEVELOPMENT CORPORATION. CALLING AN ELECTION TO SUBMIT CERTAIN PROPOSITIONS ON THE QUESTION OF THE ADOPTION OF ONE OR MORE SALES AND USE TAXES UNDER TEXAS HOUSE BILL 157 AND TEXAS TAX CODE, CHAPTER 321, AND UNDER ARTICLE 5190.6, V.T.C.S, AS AMENDED (THE DEVELOPMENT CORPORATION ACT OF 1979 (THE "ACT")), WHICH INCLUDE THE ADOPTION OF A GENERAL SALES AND USE TAX; PROVIDING FOR CONDUCTING THE SPECIAL ELECTION AND ORDAINING OTHER MATTERS INCIDENT AND RELATED TO THE HOLDING OF SUCH SPECIAL ELECTION.

WHEREAS, the Town Council of the Town of Lakewood Village, Texas (the "Town Council") established a 4B Economic Development Corporation by adoption of Ordinance 09-02; and,

WHEREAS, the Texas Legislature adopted House Bill 157 providing cities the ability to reallocate sales tax revenue within the two percent local sales tax cap; and,

WHEREAS, the Town of Lakewood Village determines that it is in the best interest of the town to allow for maximum financial flexibility by dissolution of the Economic Development Corporation; and,

WHEREAS, House Bill 157 allows cities to call an election after September 1, 2015 to increase or decrease their general sales tax rate in any increment of one-eighth of one percent; and,

WHEREAS, the Town Council has determined that a special election (the "Special Election") should be held on the next uniform election date for the purpose of submitting a proposition to the qualified voters on the question of the rate of levy and collection of sales and use taxes within the Town as applicable for the benefit of the Town to adopt the levy and collection of a general sales and use tax; and

WHEREAS, the Town Council has found and determined that a Special Election, as to such propositions set forth herein, has not been previously held within one year from the date of this ordinance; and

WHEREAS, the Town Council hereby further finds and determines that the Town is not disqualified from adopting a rate for sales and use taxes in that the combined rate of all sales and use taxes imposed by the Town of Lakewood Village, Texas, and other political subdivision having territory within the Town does not and will not, with the adoption of the proposed municipal sales and use taxes, exceed two percent at any location within the Town; and

WHEREAS, the next uniform election date is May 14, 2016, which is more than forty-five (45) days from the date of the adoption of this ordinance such that an election may be ordered by the Town; and

WHEREAS, Texas Tax Code Section 321.403 requires that an election to approve a sales and use tax must be held on the next succeeding uniform election date not less than thirty (30) days after the passage of the ordinance calling the election; and

WHEREAS, the Town Council has found that a general election shall be held on the 14th day of May, 2016, wherein the electors of the Town shall vote on the election of public officials (the "Town General Election"); and

WHEREAS, the Town Council hereby finds and determines that it is in the public interest that the Town General Election and Special Election be conducted on the same day.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKEWOOD VILLAGE, TEXAS:

SECTION 1. DISSOLUTION OF THE ECONOMIC DEVELOPMENT CORPORATION. The Town Council of the Town of Lakewood Village finds that it is in the best interest of the town to dissolve the Economic Development Corporation and does set the date of dissolution to be June 1, 2016.

SECTION 2. CALL OF SPECIAL ELECTION; DATE; TERRITORY; ELIGIBLE ELECTORS; AND HOURS. Pursuant to House Bill 157 of the State of Texas, a Special Election ("Special Election") to determine the rate of the municipal sales and use tax, shall be held on Saturday, the 14th day of May, 2016, within the Town of Lakewood Village, which date is on the first succeeding uniform election date for which sufficient time has elapsed for the holding of an election according to Election Code, Section 41.001, for the purpose of submitting the measures listed below.

SECTION 3. PRECINCT The election precinct for said election shall be the regular precinct of Denton County Precinct 1025, to the extent that it is within the corporate limits of the Town of Lakewood Village.

SECTION 4. MEASURE TO BE SUBMITTED. At such Special Election, the following measure shall be submitted:

"Shall the Town Council of the Town of Lakewood Village, Texas, be authorized to adopt and impose a general municipal sales and use tax within the Town of Lakewood Village, Texas, at the rate of one and one-half percent (1.5%)?"

SECTION 5. ADMINISTRATION OF ELECTION
The General Election and Special Election shall be conducted in accordance with the provisions of the Texas Election Code. The Town Secretary is hereby authorized to contract with the

Denton County Elections Administrator for the purpose of having Denton County furnish all or any portion of the election services and equipment needed to conduct the elections.

SECTION 6. EARLY VOTING CLERKS

- (a) In accordance with Sections 31.097 and 271.006 of the Texas Election Code, Linda Asbell, TRMC, Town Secretary for the Town of Lakewood Village shall serve as chief early voting clerk.
- (b) Any employee authorized by Linda Asbell shall serve as deputy early voting clerk.

SECTION 7. EARLY VOTING LOCATION

Early Voting by personal appearance of the Town of Lakewood Village residents shall be conducted at:

Lakewood Village Town Hall,
100 Highridge Drive
Lakewood Village, Texas 75068

SECTION 8. ELECTION DAY POLLING PLACE

The polling place for all of Precinct 1025 within the corporate limits of the Town of Lakewood Village will be located at:

Lakewood Village Town Hall,
100 Highridge Drive
Lakewood Village, Texas 75068

SECTION 9: AUTHORIZATION

The Town Secretary is hereby authorized to take any and all actions necessary to comply with the provisions of the Texas Election Code and any other state or federal law in carrying out and conducting the elections, whether or not expressly authorized herein.

SECTION 10: NOTICE AND PUBLICATION

Notice of the Election shall be given by posting a notice of election in both English and Spanish at Lakewood Village Town Hall located at 100 Highridge Drive, Lakewood Village, Texas, on the bulletin board not later than twenty-one (21) days prior to the date upon which the Elections are to be held, and by publication of said notice at least once in the official newspaper of the Town, being a newspaper of general circulation within the Town, the date of said publication to be not less than ten (10) days nor more than thirty (30) days prior to the date set for the Election. Upon publication of the election notice, the Town Secretary shall secure a publisher's affidavit.

In addition, thereto, a copy of the notice shall also be filed with the Town Secretary at least twenty-one (21) days before the Elections.

SECTION 11: A copy of this order shall be retained with the other records of the election in accordance with the Texas Election Code.

SECTION 12. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Town Council hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 13. NOTICE OF MEETING. The Town Council officially finds, determines, recites and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance is adopted was posted for at least 72 hours preceding the scheduled time of the meeting and at the location required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended; and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter thereof was discussed, considered, and formally acted upon.

SECTION 14. EFFECTIVE DATE. This Ordinance is effective immediately upon its passage and approval.

PASSED AND APPROVED by the Town Council of the Town of Lakewood Village, Texas, on this the 13th day of August, 2015.

APPROVED:

Dr. Mark E. Vargus
Mayor

ATTEST:

Linda Asbell, TRMC
Town Secretary



MEMORANDUM

TO: Town Council
FROM: Linda Asbell, TRMC, Town Secretary
DATE: August 10, 2015
RE: Agenda Item C.9. – Regulation of Drones

Councilman Getka has expressed concern about the use of drones in Lakewood Village. He would like council to consider whether the town should impose regulation of drones.