



CITY OF LA MARQUE

REGULAR AGENDA of May 18, 2026

Notice is hereby given that the Ordinance Review Committee of the City of La Marque, Texas will conduct a **Regular Meeting** on **May 18, 2026**, beginning at **6:00 PM** in the **Council Chambers** at **1109-B Bayou Road La Marque, Texas as well as via videoconference hosted through Zoom (bczoom.cityoflamarque.org)**. In accordance with Section 551.127(b) of the Texas Government Code the presiding officer and a quorum of the Ordinance Review Committee intend to be and will be physically present at 1109-B Bayou Road, La Marque, Texas. This location will be open to the public.

The Committee will meet for the purpose of considering the following agenda:

1. CALL MEETING TO ORDER
2. ROLL CALL
3. CITIZENS PARTICIPATION
LIMITED TO THREE MINUTES PER PERSON

Comments from the public will be heard at this time. Any person with city-related business who has signed up may speak to the Committee (limited to three (3) minutes). If wishing to speak give the Chair or presiding officer your full legal name and the item you wish to speak about. In compliance with Texas Open Meeting Act, the City may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours. *Press *6 to mute or unmute if you are participating by telephone, press the unmute button if attending via zoom on a smartphone, tablet or computer, or stand if attending in person, and the presiding officer will call on you in turn.*

4. MINUTES
 - 4.I. Ordinance Review Committee Meeting Minutes 03.16.2026
 - 4.II. Ordinance Review Committee Meeting Minutes 04.20.2026
5. NEW BUSINESS

Items presented to the Committee for discussion and possible action:

 - 5.I. Recommending the drafting of an ordinance establishing registration, maintenance, inspection, local contact, and enforcement requirements for

vacant or abandoned buildings

- 5.II. Recommending an ordinance amendment requiring vehicles to be parked on approved hard or all-weather surfaces in residential, commercial, industrial, multifamily, and other zoning districts
- 5.III. Recommending an ordinance amendment clarifying height, visibility, location, and sight-triangle requirements for fences located in front yards
- 5.IV. Recommending an ordinance amendment improving enforcement, removal, penalties, and cost recovery for unauthorized temporary signs placed on public property, rights-of-way, utility poles, or without property-owner consent
- 5.V. Recommending an ordinance amendment requiring dumpster screening and enclosure standards for commercial, industrial, multifamily, institutional, and mixed-use properties outside the C-4 zoning district
- 5.VI. Recommending an ordinance amendment correcting outdated code references and aligning local ordinance language with the City's currently adopted building codes, electrical code, local amendments, and applicable wind-design requirements
- 5.VII. Recommending sign code amendments to improve legal defensibility, remove outdated or content-based provisions, and regulate signs based on objective standards such as size, height, location, lighting, duration, and safety

6. REQUESTS AND ANNOUNCEMENTS

Requests by Committee Members of items to be placed on future agendas and announcements on city events/community interests TEX. GOV'T CODE §551.415. (b), "items of community interest" include: (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedules; (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision; (4) a reminder about an upcoming event organized or sponsored by the governing body (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and (6) announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda

7. ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on May 12, 2026 at 6:00 p.m.

Kierra K. Nance, TRMC
City Clerk



CITY OF LA MARQUE

REGULAR MINUTES

of

March 16, 2026

1. CALL MEETING TO ORDER

Vice Chairperson called the meeting to order at 6:02 p.m.

2. ROLL CALL

PRESENT:

James Ross	Member
Terry Taylor	Vice-Chair
Laura Devine	Committee Member
Hayley Winkelmann	Committee Member

3. INVOCATION AND PLEDGE OF ALLEGIANCE

All assembled stated the Lord's Prayer in unison and Vice-Chair Taylor led the pledge.

4. CITIZENS PARTICIPATION

There was no citizen's participation.

5. MINUTES

5.I. Ordinance Review Committee Meeting Minutes 09.02.2025

THIS ITEM WAS TABLED.

6. NEW BUSINESS

6.I. Electing a Chairperson and Vice Chairperson for calendar year 2026
Committee member Ross nominated Vice-Chair Terry Taylor as Committee Chair. Committee member Devine seconded. **MOTION CARRIED UNANIMOUSLY.**

Committee member Winkelmann nominated Committee member Ross as Vice-Chair. Committee member Devine seconded. **MOTION CARRIED UNANIMOUSLY.**

6.II. Reviewing and proposing amendments to the City of La Marque's Dumpster Ordinance

Vice Chair Ross spoke about the need for code enforcement to enforce the screening requirement for dumpsters.

Committee member Winkelmann raised concerns regarding the need for a limit on how many containers are provided at no charge per the ordinance.

Committee member Devine acknowledges that the code is very general or vague, and she believes it should be more specific.

Discussions ensued regarding terminology such as "may" and "shall" regarding the screening requirements and how this allows ambiguity in the city's requirements.

***Committee member Winkelmann exited the meeting at 6:17 p.m.*

Discussions regarding fines ensued.

***Committee member Winkelmann returned at 6:23 p.m.*

Vice Chair Ross made a motion to propose an edit to Section 35.18 of the Code of Ordinances to read "City Manager or their designee" in lieu of "the sanitation department" with a request that the city review Sec. 35-10 (1-3) for consistency with current operations. The motion also consisted of a request for the Code Enforcement Division to attend a future meeting. Committee member Devine seconded. **MOTION CARRIED UNANIMOUSLY.**

6.III. Reviewing and proposing amendments to the City of La Marque's Sign Ordinance

***This item was taken after item 6.IV*

Vice Chair Ross requested that this be a discussion with Code Enforcement as well.

Chairperson Terry stated that she has seen many bandit signs placed in both the city and neighboring cities, but she has also seen Code Enforcement removing the signs as well.

Discussions regarding the classification of what was determined to be "temporary signs" ensued.

Committee member Devine requested a Public Relations campaign regarding the growing concern about temporary signs around the city.

Vice Chair Ross recommended calling the number on the signs and issuing tickets to those businesses.

Chairperson Taylor questioned if there was a policy written regarding each particular type of code violation and the follow-up process.

Committee member Devine questioned if the Code Enforcement Division is overwhelmed with the volume of violations.

Discussions regarding garage sale signs ensued with Vice Chair Ross clarifying the language in the Code of Ordinances.

NO ACTION TAKEN.

6.IV. Reviewing and proposing amendments to the City of La Marque's Container Homes Ordinance

***This item was taken after item 6.II*

Vice Chair Ross stated that he was not prepared to discuss at this meeting.

Committee member Devine requested sample ordinances from other cities.

THIS ITEM WAS TABLED.

7. REQUESTS AND ANNOUNCEMENTS

Committee member Devine requested to meet on April 20, 2026.

Vice Chair Ross requested that the Homestead ordinance be reviewed at the next meeting as a way to combat the rising appraisals.

Committee member Devine requested a review of the fencing ordinances at the next meeting.

8. ADJOURNMENT

Committee member Devine made a motion to adjourn. Vice-Chair Ross seconded.

MOTION CARRIED UNANIMOUSLY.

***Meeting was adjourned at 6:57 p.m.*



CITY OF LA MARQUE

REGULAR MINUTES

of

April 20, 2026

1. CALL MEETING TO ORDER

Chairperson Taylor called the meeting to order at 6:00 p.m.

2. ROLL CALL

Present:

Terry Taylor	Chairperson
James Ross	Vice Chair
Laura Divine	Member
Hayley Winkelmann	Member

Absent:

Shawntale Woodland	Member
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Staff:

Kierra Nance	City Clerk
Josh McConnell	Development Services
Jose Hernandez	Director
	Code Enforcement Supervisor

3. INVOCATION AND PLEDGE OF ALLEGIANCE

All assembled stated The Lord's Prayer and stated the pledge of allegiance in unison.

4. PRESENTATIONS

4.1. Code Compliance Division

Development Services Director Josh McConnell and Code Compliance Supervisor Jose Hernandez were available for questions by the committee. Committee member Devine questioned what areas were seen as opportunities in the Code Compliance Division from the perspective of the staff. Discussions regarding clarification of ordinance language ensued, with a mutual understanding that some of the language is not defined clearly enough and leaves room for subjective interpretation. Lengthy discussions regarding fencing requirements of the building code and city's ordinances ensued with Director McConnell suggesting that staff bring

proposals for an updated fencing ordinance be presented at a future meeting. He also requested consideration for a vacant and abandoned building policy.

5. CITIZENS PARTICIPATION

Re'Chard Loftis (no address) shared his concerns regarding the proposals for abandoned property registration stating that a city charging a fee just because a building is vacant even if it is not dilapidated or substandard.

6. MINUTES

There were no minutes.

7. OLD BUSINESS

7.I. Reviewing and proposing amendments to the City of La Marque's Dumpster Ordinance

Vice Chair Ross asked staff questions regarding the enforcement of the city's screening requirements for commercial buildings. It was clarified that the intention of this item is to strengthen the code and make it to where it is enforceable by staff. Director McConnell identified shortcomings in the language, including the fact that section 35-10 appears to only address visibility from the named street of the address, and the vagueness of requirements on shrubbery, etc.

Discussions regarding the creation of a code enforcement case ensued as well as the role of the Building and Standards Commission.

A brief discussion regarding the areas of opportunity in Request Tracker that are being addressed by the city in the new software implementation ensued, with the staff identifying that the new software will address many of the communication concerns by the public.

NO ACTION TAKEN.

7.II. Reviewing and proposing amendments to the City of La Marque's Sign Ordinance

Vice-Chair Ross spoke regarding the progress being made in relation to bandit signs being left around the city. He hoped to find a way for the city to actively enforce the ordinances.

NO ACTION TAKEN.

8. NEW BUSINESS

8.I. Reviewing and proposing amendments to the City of La Marque's homestead exemption

Vice Chair Ross identified that the only homestead exemption within the city is approximately \$7000 for residents over 65. He recommended that this group receive up to \$10000 total in homestead exemptions. He referenced the Texas Constitution which allows for up to \$5000 not to exceed 20% of the valuation for all residents with a homestead. He recommended implementing this process across a five-year period in order for the city to adjust, with the first year to be a blanket \$5000, with the next year being \$5000 or 5%, whichever is higher, continuing to increase until reaching the city's maximum allowance.

Committee member Winkelmann shared her concerns regarding the city's financial position but ultimately was supportive.

Chairperson Taylor requested an estimate of how much this would cost the city and requested information about the workload required for implementation.

Vice Chair Ross made a motion to raise the homestead exemption for seniors to \$10,000 and the implementation of 59-3, which would allow. For a homestead exemption for all eligible residents beginning next fiscal year in the amount of \$5000, 2028 in the amount of \$5000 or 5% of taxable value, whichever is greater, to increase by 5% of valuation in each of the following 4 years.

Committee member Winkelmann seconded. **MOTION CARRIED UNANIMOUSLY.**

- 8.II. Reviewing and proposing amendments to the City of La Marque's fencing regulations

This item was tabled.

9. REQUESTS AND ANNOUNCEMENTS

There were no requests or announcements.

10. ADJOURNMENT

Committee member Divine made a motion to adjourn. Vice Chair Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

***Meeting was adjourned at 7:17 p.m.*

EXHIBIT A

Agenda Item 1 - Vacant / Abandoned Building Registration Ordinance

Three policy options.

Local policy problem. La Marque has many vacant and blighted properties, limited Code Enforcement staffing, and a need to avoid punishing compliant landlords who keep vacant buildings secure and maintained. The ordinance should use our upcoming OpenGov software rollout to automate registration, reminders, inspection cycles, invoices, notices, photo records, and escalation packets so the City does not create a new manual workload it cannot sustain.

Existing framework. La Marque already uses the 2024 International Property Maintenance Code and related adopted construction codes, and the Building Standards Commission exists under Local Government Code Chapter 54 authority. The proposed ordinance would add an early registry and tiered compliance path before a property reaches full condemnation or demolition proceedings. Sources: [La Marque adopted codes](#); [La Marque BSC overview](#)

Board decision summary - advantages, disadvantages, and best use cases

Option	Best situation	Advantages	Disadvantages / watch-outs
1. Cooperative Low-Cost Registry Most lenient / lowest cost	Best for compliant landlords, vacant but maintained homes, temporary vacancy between tenants, pending sale/lease, or buildings where the owner is responsive and the structure is secure.	Most publicly acceptable; encourages voluntary participation; creates owner/contact data; can be heavily automated in OpenGov; low burden on compliant owners.	Least revenue; limited deterrent for absentee or nonresponsive owners; will not quickly remove severe blight unless paired with an escalation trigger.
2. Cost-Recovery Enforcement Registry Moderate / revenue-supported	Best when a large number of owners ignore notices or generate repeated inspections, and when the City needs fee revenue to offset added Code Enforcement staff time.	Shifts repeated inspection costs to problem properties; can fund additional staff if noncompliance is high; protects compliant landlords through lower tiers; creates measurable workload data.	More politically sensitive; needs a fee study/nexus; may burden small owners if hardship relief is not included; requires accurate billing and collection in OpenGov.
3. Streamlined Blight Removal Track Most aggressive / targeted	Best for open, unsecured, fire-damaged, structurally unsafe, repeat nuisance, abandoned, or long-term blighted structures where the owner ignores the City or fails to follow a compliance plan.	Clear path to notices, BSC hearing, orders, abatement, demolition, cost recovery, and liens; focuses high cost only on unsafe/refusing owners; protects maintained vacant properties from excessive fees.	Requires rigorous due process, evidence, photos, title/lienholder research, and legal review; demolition and lien work can still require upfront City funds.

Photo examples for board discussion

		
Example condition: overgrowth around a vacant/neglected residence. Showing why registration should include lot maintenance and pest/vector controls. Source: Texas City violations page	Example condition: boarded substandard home. Showing why security, exterior maintenance, and repair/removal timelines matter. Source: Deer Park substandard homes page	Example condition: open vacant commercial structure. Showing trespass, fire, vandalism, and neighborhood blight concerns. Source: Fort Worth open and vacant structures page

Practical recommendation. The most balanced approach is a hybrid: use Option 1 for compliant owners, Option 2 for repeated noncompliance and cost recovery, and Option 3 only for unsafe, abandoned, or ignored properties that require a clear path to lien, condemnation, or demolition.

OPTION 1 - Cooperative Low-Cost Registry

Most lenient and most publicly acceptable; designed to gather data and encourage voluntary participation without increasing City workload.

Policy goal	Register vacant but maintained structures, keep owners reachable, and encourage compliance before violations accumulate.
Best use case	Compliant landlords, owners between tenants, pending sale/lease, temporary family vacancy, maintained commercial vacancy, or owners who voluntarily contact the City.
Suggested fee posture	Low-cost voluntary registration; low-cost annual fee; no-cost annual self-certification; City inspection for additional fee only when a complaint, exterior concern, or random audit is triggered.
OpenGov design	Public form plus staff-created case type; auto-confirmation; annual reminder; owner upload of photos; status categories are: Voluntary, Basic Registered, Watch List, Closed.
Escalation trigger	Move to Option 2 if the owner misses deadlines, fails to update contact information, repeats high grass/junk/security violations, or fails an exterior inspection.

Advantages.

Easiest to explain to the public: maintained vacancy is not treated the same as dangerous abandonment.

Encourages landlords to self-identify and keep properties maintained without fear of heavy fees.

Creates an owner/contact database before the City needs emergency access or substandard-structure action.

Can be almost entirely automated through OpenGov, which is important for a small Code Enforcement staff.

Disadvantages.

Will not produce enough revenue to fund the staff time spent on the program.

Absentee or nonresponsive owners may ignore the program unless escalation is clear.

Requires clean OpenGov automation so staff are not manually tracking renewals and reminders.

Texas-municipality comparison used for Option 1. Mansfield uses a relatively low vacant-building fee structure: \$50 for the first year, \$250 for the second year and beyond, and a \$50 annual inspection fee, with registration paperwork due within 90 days after notice. Sources: [Mansfield fee provision](#)

Draft La Marque version.

Voluntary registration: \$25, online only, renewed annually by owner self-certification.

Basic registration after City notice: \$50 to \$100 annual fee, with fee waiver or reduction for self-reported compliant properties.

Required fields: owner, mailing address, local contact, emergency contact, lawful last use, vacancy reason, expected duration, maintenance plan, and preferred disposition: lease, sell, repair, rehabilitate, or demolish.

OpenGov sends renewal reminders at 60/30/10 days, auto-generates late notices, and closes the case when the building is lawfully occupied, sold, demolished, or determined no longer subject to registration.

OPTION 2 - Cost-Recovery Enforcement Registry

Moderate approach; intended to remain fair to compliant owners while generating staff-supporting revenue if violations are numerous.

Policy goal	Recover the City cost of repeated inspections, notices, invoicing, monitoring, and enforcement from properties that generate the workload.
Best use case	Widespread vacancy and blight where many owners fail to respond, forcing Code Enforcement to make repeated site visits and issue repeated notices.
Suggested fee posture	Low basic tier for compliant properties; higher problem-property tier after violations; reinspection and monthly monitoring fees when violations remain; late fees for missed registration deadlines.
OpenGov design	Automatic tier assignment based on case events; invoices tied to inspection outcomes; dashboard for number of registered properties, open violations, fee collection, and staff time.
Escalation trigger	Move to Option 3 when a property is open/unsecured, fire-damaged, structurally unsafe, chronically noncompliant, or the owner fails to follow an approved compliance plan.

Advantages.

Creates a revenue mechanism to support added staffing if noncompliance is widespread.

Keeps fees lower for owners who maintain vacant buildings and respond on time.

Encourages faster occupancy, sale, repair, or demolition because prolonged problem vacancy becomes increasingly expensive.

Provides measurable data for Council: number of registered vacant structures, violation rate, staff time, fees billed, fees collected, and abatements.

Disadvantages.

More likely to generate public objection than Option 1.

Should be supported by a fee study or clear cost-recovery rationale.

May create collection challenges if owners are already tax delinquent or unreachable.

Requires strong OpenGov setup; without automation, billing and tracking can consume staff time.

Texas-municipality comparisons used for Option 2. Dallas distinguishes basic and problem-property registration and adds monitoring/reinspection fees when a problem property has maintenance violations; Beaumont uses an escalating annual registration model that starts at \$600, increases by one-half each year, and is capped at \$20,000, plus an inspection fee component. *Sources:* [Dallas fee provision](#); [Beaumont vacant building registry](#)

Draft La Marque version.

Basic registered vacant structure: low annual fee for secure, maintained properties with no active violations.

Problem property registration: higher annual fee when the property has open/unsecured conditions, repeat property-maintenance violations, fire damage, illegal occupancy/trespass history, or failure to maintain a plan.

Reinspection/monitoring fee: assessed only when staff reinspects and a violation remains, or when the case requires recurring monitoring after noncompliance.

Staff funding trigger: if registered problem properties or reinspections exceed a stated threshold, fee revenue should be dedicated or budgeted to fund added Code Enforcement capacity, such as a part-time inspector or one additional officer.

Hardship relief: available only for owners who are responsive, maintain the property, and submit a credible repair/occupancy/sale/demolition plan; not available for open/unsecured or hazardous conditions.

Illustrative revenue logic, not final fee schedule.

Fee component	Target property type	Reasonable purpose	OpenGov automation
Basic annual registration	Maintained vacant properties	Covers database/admin costs while keeping compliant owners engaged.	Annual invoice + renewal reminders.
Problem-property annual fee	Repeated violation or nonresponsive properties	Offsets additional staff time and discourages long-term neglect.	Auto-tier change after qualifying violation.
Reinspection fee	Violations not corrected by deadline	Charges only when the owner causes repeat work.	Inspection result triggers invoice.
Monthly monitoring fee	Persistent problem properties	Supports field monitoring when case remains active.	Recurring task until compliance.

OPTION 3 - Streamlined Blight Removal Track

Most aggressive; protects compliant owners but creates a direct path for ignored, unsafe, abandoned, or chronically blighted structures.

Policy goal	Move dangerous or ignored vacant structures from ordinary registration into a documented enforcement path that can end in Building Standards Commission order, abatement, demolition, cost recovery, and lien where legally available.
Best use case	Open/unsecured buildings, fire damage, structural failure, repeated nuisance activity, chronic high grass/junk, unsafe pools, illegal occupancy, or owners who ignore City notices.
Suggested fee posture	Low or waived fees remain available for compliant maintained properties; aggressive fees and cost recovery apply only after violation triggers or failure to follow a compliance order.
OpenGov design	One-click escalation from registry case to substandard structure case; automatic title/lienholder checklist; notice templates; photo log; hearing packet; order tracking; abatement invoice; lien packet checklist.
End point	Compliance, lawful occupancy, sale, repair permit, demolition permit, Building Standards Commission order completion, City abatement, lien filing, or other lawful enforcement resolution.

Advantages.

Directly addresses the worst blight rather than merely registering it.

Avoids exorbitant cost for responsible landlords whose vacant buildings remain secure and maintained.

Gives staff a repeatable path: notice, inspection evidence, hearing packet, order, deadline, abatement, cost recovery, and lien.

Makes nonparticipation costly and procedurally risky for owners who refuse to respond.

Disadvantages.

Requires the highest level of due process and documentation.

May require City upfront funding for securing, mowing, cleanup, title work, demolition, or legal action before recovery.

Requires strong coordination among Code Enforcement, Building Official, City Attorney, Finance, and County Clerk records.

Must be applied consistently to avoid claims of arbitrary enforcement.

Texas-municipality and Texas-law comparisons used for Option 3. Fort Worth treats vacant structures that are not properly secured against entry as unsafe and states that owners who fail to secure vacant structures may face fines up to \$2,000 per violation. TML guidance explains that Chapter 214 allows cities to require vacating, securing, repair, removal, or demolition of substandard buildings and to use administrative hearings, Chapter 54 enforcement, or a building and standards commission process. *Sources:* [Fort Worth open/vacant structures](#); [TML Substandard Buildings Legal Q&A](#)

Draft La Marque version.

Trigger immediate problem-property status when a vacant building is open, unsecured, fire-damaged, structurally unsafe, used for illegal occupancy, or repeatedly cited for exterior nuisances.

Require a written compliance plan with enforceable milestones; if the owner fails to meet milestones, the case is automatically reviewed for Building Standards Committee referral.

Require staff to prepare an evidence packet with inspection report, photos, ownership/lienholder research, notice history, code sections, recommended action, estimated cost, and proposed order.

Allow the City to secure, remove, demolish, or abate only after required legal notice and hearing/order, except where emergency action is legally justified and approved through the City Attorney process.

Add a lien workflow: abatement invoice, deadline to pay, Finance confirmation, County Clerk lien notice, payoff tracking, and release of lien when paid.

Streamlined enforcement path.

1. Identify	2. Register / Notice	3. Inspect	4. Plan or Order	5. Abate	6. Recover
Complaint, staff observation, fire damage, utility disconnect, or repeated nuisance case.	OpenGov case, owner/lienholder research, notice, registration deadline, local contact request.	Exterior/interior as authorized, photos, unsafe/open conditions, IPMC and local code cites.	Owner compliance plan or BSC/hearing order with deadlines and progress reports.	Secure, mow, remove debris, demolish, or perform ordered action if owner fails.	Invoice, civil penalties if authorized, lien filing, payoff tracking, lien release.



Example for Option 3: an open or unsecured structure can create trespass, vandalism, fire, and visual blight risks; this category should move quickly from registration into enforcement. Source: [Fort Worth, TX official website](#)

OpenGov implementation design for all three options

Purpose. The ordinance should be written so the software performs the repetitive work. Staff should not manually maintain a spreadsheet, calendar, separate invoice tracker, and separate Building Standards Commission packet list.

OpenGov function	Minimum setup	Why it matters
Public registration form	Owner uploads contact info, local agent, photos, maintenance plan, and occupancy/sale/repair/demo intent.	Encourages voluntary compliance and reduces staff data entry.
Property status tiers	Voluntary, Basic Registered, Problem Property, BSC Referral, Abatement/Lien, Closed.	Lets staff and board members see where each case sits.
Automated reminders	60/30/10 day renewal notices; missed deadline notice; inspection due notice; compliance milestone notice.	Keeps cases moving without manually tracking dates.
Inspection templates	Exterior checklist, vacant-building security checklist, problem-property checklist, BSC evidence checklist.	Standardizes enforcement and improves due process evidence.
Fee and invoice triggers	Basic fee, problem-property fee, reinspection fee, monthly monitoring fee, abatement invoice.	Makes Option 2 financially viable and traceable.
BSC packet automation	Pulls property data, photos, ownership research, notices, inspections, code sections, and recommended order.	Cuts staff time for the most complex cases.
Lien packet workflow	Finance confirmation, invoice, deadline, lien notice, County Clerk recording, payoff, release.	Creates a clear path for owners who ignore City action.

Recommended hybrid ordinance structure

Part	Who it applies to	Fee posture	Outcome
Part A - Voluntary / compliant registry	Maintained vacant buildings with responsive owners.	Low fee.	Owner stays reachable; City avoids unnecessary enforcement.
Part B - Required registration	Vacant buildings after notice or vacancy period.	Low basic fee.	Basic registry, annual confirmation, exterior standard of care.
Part C - Problem-property tier	Repeated violations, open/unsecured buildings, ignored notices.	Higher fee + reinspections.	Cost recovery and deterrence.
Part D - BSC / abatement / lien	Dangerous, ignored, abandoned, or chronically blighted structures.	Cost recovery, civil penalties where authorized, liens where available.	Repair, secure, demolish, or recover cost after due process.

Possible motion / board direction

Motion option. Direct staff to work with the City Attorney to draft a vacant/abandoned building registration ordinance using a hybrid model that protects compliant owners through low-cost registration, recovers costs from problem properties, uses OpenGov automation for notices and inspections, and creates a streamlined path to Building Standards Commission action, abatement, lien, and demolition when owners refuse to participate or correct unsafe conditions.

Sources reviewed and examples used

City of La Marque - Code Enforcement Resources / adopted codes: <https://www.cityoflamarque.gov/477/Code-Enforcement-Resources>

City of La Marque - Building Standards Commission overview: <https://www.cityoflamarque.gov/284/Building-Standards-Commission>

City of La Marque - Ordinance No. O-2020-0020, code adoption and BSC authority background: <https://www.cityoflamarque.gov/DocumentCenter/View/4006>

Mansfield City Code, Section 157.07 - Registration and Inspection Fees: https://codelibrary.amlegal.com/codes/mansfieldtx/latest/mansfield_tx/0-0-0-50629

Dallas City Code, Chapter 48B - Vacant Buildings and Lots: https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-123953

Dallas City Code, Section 48B-7 - Registration Application: https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-124039

Dallas City Code, Section 48B-21 - Registration Fee and Inspection Charge: https://codelibrary.amlegal.com/codes/dallas/latest/dallas_tx/0-0-0-124139

Beaumont City Code, Article 24.09 - Vacant Building Registry: <https://ecode360.com/45667548>

Irving City Code, Article X - Vacant Building Registration: <https://ecode360.com/45684137>

Fort Worth - Open and Vacant Structures: <https://www.fortworthtexas.gov/departments/code-compliance/issues-information/vacant-structures>

Texas City - Violations examples: <https://texascitytx.gov/937/Violations>

Deer Park - Substandard Homes example: <https://www.deerparktx.gov/1195/Substandard-Homes>

Texas Local Government Code Chapter 54 - Municipal Enforcement: <https://statutes.capitol.texas.gov/Docs/LG/htm/LG.54.htm>

Texas Local Government Code Chapter 214 - Municipal Regulation of Housing and Other Structures: <https://statutes.capitol.texas.gov/Docs/LG/htm/LG.214.htm>

Texas Municipal League - Substandard Buildings Legal Q&A: <https://www.tml.org/DocumentCenter/View/5404/Substandard-Buildings--2024>

Use note. The photos in this exhibit are illustrative examples from cited public municipal web pages and are not represented as La Marque properties. Fee amounts in the options are policy examples for discussion and should be adjusted by legal review, Finance review, and a defensible cost-recovery analysis before adoption.

Hard-Surface Parking Ordinance Amendments

City of La Marque - Development Services - Policy Discussion Draft

Purpose

Create clear, fair, and enforceable parking standards that stop routine parking on grass, dirt, and unimproved surfaces; provide affordable compliance options for residents; and give Code Enforcement stronger tools for repeated, large-scale, or commercial violations.

1. Summary of Current Requirements

The current Code already contains several helpful pieces, but they are spread across zoning, junked vehicle, traffic, and penalty provisions. The main gap is that La Marque does not have one clean, scalable rule that says when ordinary vehicles, trailers, business inventory, or vehicle storage may not be placed on grass or unimproved ground.

Current requirement	What the Code already says	Main gap / problem
Parking areas and spaces	Private/public parking areas and parking spaces are defined as permanently surfaced; a parking space is listed as at least 180 square feet.	Supports hard-surface enforcement, but does not clearly create a citywide violation for grass parking.
Sec. 71-29(a): off-street parking	Applies to new buildings, new uses, nonconforming uses required to comply, and expansions. Single-family dwellings require 2 parking spaces. Parking surfaces must be treated, prepared, and maintained for drainage and elimination of dust, dirt, and mud.	Good foundation, but it mainly regulates required parking for new/changed uses, not existing grass parking as a nuisance condition.
Sec. 71-29(b): R-1 residential parking	Recognizes uncontrolled residential front-yard parking as a public nuisance. Prohibits buses, motor homes, campers, trailers, and boats in R-1 front/side yards unless on hard surface, bordered gravel, access driveway, or screened side yard.	Does not clearly apply to ordinary cars and trucks; does not clearly cover all residential districts, rear yards, repeated yard parking, or many vehicles.
Surface and driveway limits	Hard surfaced includes cement, asphalt, brick, and other pavement approved by the Building Inspector. Single, double, triple, and circular driveway widths/coverage are limited.	Needs modernization to include approved all-weather options such as pavers, permeable pavers, grid systems, crushed limestone, or gravel with borders where appropriate.
Junked / abandoned vehicles	Chapter 44 regulates junked vehicles. Chapter 62 regulates abandoned or inoperable vehicles in streets, shoulders, and rights-of-way and allows removal in certain cases.	These tools address junked/inoperable vehicles and public rights-of-way; they do not solve normal operable vehicles parked on private grass or commercial lots.
Commercial / industrial sites	Some zoning districts restrict outdoor storage, require improved surfaces, or regulate vehicle-related uses such as display, sales, and service.	The Code needs a uniform standard for customer parking, employee parking, vehicle display, fleet parking, repair staging, and car lots on unimproved ground.
Penalty authority	Sec. 1-7 allows up to \$2,000 for fire, safety, zoning, public health, or sanitation violations; otherwise, general violations are capped at \$500, unless state law provides otherwise.	The new ordinance should classify the violation carefully and use graduated penalties instead of treating all cases the same.

2. Summary of Recommended Changes

The recommended amendment should be short, practical, and built for OpenGov tracking. The goal is to make the standard clear enough for residents to understand, flexible enough for affordable compliance, and strong enough to stop large-scale abuse.

Specific change needed	Recommended direction
Add a citywide core rule	No vehicle, trailer, business inventory, fleet vehicle, repair vehicle, or vehicle display may be parked, stored, staged, or displayed on grass, dirt, sand, rutted ground, or other unimproved surface unless expressly allowed in writing by the City Manager.
Define acceptable surfaces	Add definitions for approved hard surface, approved all-weather surface, unimproved surface, temporary parking, vehicle storage, and commercial vehicle display/storage.
Clarify R-1 residential rule	Apply the rule to ordinary cars and trucks as well as buses, RVs, trailers, boats, and equipment, while allowing low-cost solutions such as bordered gravel, pavers, or approved side/rear-yard parking.
Create non-R-1 standards	Require commercial, industrial, multifamily, institutional, and mixed-use sites to keep customer parking, employee parking, vehicle display, repair staging, and storage on approved surfaces.
Fix dimensional conflict	Resolve the 180-square-foot parking space definition and the 175-square-foot parking stall requirement so the Code uses one consistent standard or explains the difference.
Add penalty tiers	Create tiers from courtesy notice for one residential vehicle to high-level enforcement for car lots or large-scale vehicle storage on grass.
Use compliance plans	Allow the Director or designee to approve written compliance plans where the owner is acting in good faith, especially for low-income residents, elderly residents, small lots, or existing small businesses.
Tie commercial compliance to permits/COs	Require review at new certificate of occupancy, change of tenant, change of use, site expansion, complaint history, or visible nuisance condition.
Build OpenGov automation	Use violation tiers, auto-generated notices, reinspection deadlines, photo uploads, repeat-violation flags, and escalation workflows.

3. Core Policy Choice

Recommended standard

Keep the rule simple: vehicles belong on approved surfaces. Then create enough exceptions and compliance options that reasonable homeowners can comply without being punished, while repeated or commercial misuse can be enforced quickly.

4. Definitions to Add or Revise

Term	Draft meaning
Approved hard surface	Concrete, asphalt, brick, concrete pavers, permeable pavers, or another durable surface approved by the City.
Approved all-weather surface	A stabilized surface that supports the vehicle without rutting, mud, dust, ponding, erosion, or off-site tracking; may include bordered crushed limestone, gravel, crushed concrete, or grid systems where approved.
Unimproved surface	Grass, dirt, sand, loose soil, rutted ground, uncontained gravel, or any surface not approved as a hard or all-weather surface.
Vehicle storage	Keeping, staging, holding, displaying, repairing, or storing vehicles beyond ordinary accessory parking for the lawful use of the property.
Commercial vehicle display/storage	Parking, staging, display, repair, fleet parking, inventory parking, or storage connected to a business, car lot, repair shop, towing operation, contractor yard, or similar use.
Temporary parking	Short-term parking allowed for loading, unloading, emergency repair, active construction, driveway repair, special events, or other City-approved temporary conditions.

5. Compliance Options to Preserve Fairness

Property type	Compliance options
Residential	Existing driveway, garage, or carport; driveway extension; concrete wheel strips; pavers; permeable pavers; bordered gravel/crushed limestone; approved side-yard or rear-yard parking; temporary driveway-repair exception; disability/hardship accommodation; written compliance agreement.
Commercial / multifamily / industrial	Existing paved parking; approved parking and circulation plan; asphalt or concrete for customer and required parking; engineered all-weather surface for storage yards where appropriate; separate customer parking from fleet/storage/repair areas; phased compliance for existing lawful businesses; drainage review for expanded surfaces.

6. Penalty Tiers

The ordinance should distinguish between a minor residential issue and a business using grass as a parking lot. The amounts below are policy placeholders only and should be reviewed by the City Attorney and Municipal Court before adoption.

Tier	Example	City response
0 - Education	One residential vehicle partly on grass, first occurrence.	Courtesy notice through OpenGov; 10-15 days; no fine if corrected.
1 - Minor residential	One vehicle parked on grass/dirt at an occupied home.	Warning, then citation or reinspection fee if not corrected.
2 - Moderate residential	Two to four vehicles, trailer/boat/RV on unimproved surface, or repeat violation.	Citation, reinspection fee, and required compliance plan.
3 - Major residential nuisance	Five or more vehicles, yard used as vehicle storage, mud tracking, blocked sidewalk, or drainage damage.	Higher citation tier, shorter deadline, daily offenses after final notice, junked-vehicle review if applicable.
4 - Commercial / business	Customer, employee, repair, inventory, or fleet vehicles parked on grass/dirt.	Citation, CO review, site-plan requirement, and deadline for approved surface or compliance plan.
5 - Car lot / storage yard	Many vehicles displayed or stored on grass, unapproved lot expansion, or vehicle sales/storage from unimproved ground.	Highest citation tier, daily offenses, possible stop-use action, CO suspension/revocation review, and site-plan enforcement.
6 - Immediate hazard	Vehicle blocks fire access, sidewalk, right-of-way, drainage ditch, or sight visibility.	Immediate correction, citation, towing/abatement if authorized.

7. OpenGov Workflow Needed

1. Create case	2. Select tier	3. Auto-notice	4. Reinspect	5. Escalate / close
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Recommended OpenGov data fields: address, parcel number, zoning district, property type, number/type of vehicles, surface type, yard/location, public safety issue, prior violations, photos, correction deadline, citation/reinspection status, and compliance-plan status.

8. Staff Recommendation for Board Direction

Staff recommends preparing a hard-surface parking ordinance amendment that:

- Uses one clear rule prohibiting routine vehicle parking, storage, staging, or display on unimproved surfaces.
- Preserves affordable residential compliance options, especially for good-faith residents and small lots.
- Creates stronger requirements for commercial, industrial, multifamily, car lot, repair, storage, and fleet uses.
- Adds graduated penalty tiers so one residential vehicle is not treated the same as a car lot or storage yard.
- Relies on OpenGov for notice generation, deadline tracking, repeat-violation flags, and documentation.
- Cleans up existing inconsistencies in parking-space dimensions and surface terminology.

Plain-language policy goal

Be flexible with residents who are trying to comply. Be firm with properties that create blight, damage drainage, block public access, or use grass and dirt as a business parking lot.

Sources Reviewed

- City of La Marque Code of Ordinances, Supplement No. 17, February 2026, current through Ordinance No. O-2025-0003.
- Chapter 71, Zoning: Sec. 71-4 definitions; Sec. 71-29 parking space regulations; Sec. 71-30 nonconforming uses.
- Chapter 44, Miscellaneous Offenses and Provisions: Article IV, Junked Vehicles.
- Chapter 62, Traffic and Motor Vehicles: Article V, Stopping, Standing and Parking.
- Chapter 1, General Provisions: Sec. 1-7 general penalty.

Front-Yard Fence Ordinance Amendments

Short introduction for board discussion

Front-yard fences shape the way a neighborhood looks and feels. A well-designed fence can add safety, character, and pride to a home, but a fence that is too tall, too solid, or poorly placed can make a street feel closed off and can create visibility and safety concerns. The goal is to create simple, fair rules that allow residents to protect and improve their property while also protecting the appearance, openness, and safety of La Marque neighborhoods.

A. Board Summary - What Changes Are Needed?

Issue	Current condition	Recommended change	Why it matters
Front yard location	Current rules rely on front yards/setbacks, but do not clearly say that fence rules apply to the actual area in front of the building face.	Add clear definitions of front yard, required front yard, and front-yard fence.	Residents and staff can apply the rule from the street without needing a full zoning analysis.
Fence height	Residential fences can be generally understood as up to 7 feet, while screening/blind fences are prohibited in front yards.	Limit front-yard fences to 48 inches measured from the highest side of adjacent grade.	Creates a simple public-facing rule and reduces visibility/safety problems.
Fence type	The code prohibits screening/blind fences in front yards but does not clearly explain what front-yard fence types are acceptable.	Require front-yard fences to be open/decorative and limit solid/opaque/privacy screening.	Protects streetscape openness while allowing residents to define and secure property.
Right-of-way	Current rules do not state a simple fence-specific prohibition against right-of-way placement.	State that no fence, wall, gate, column, post, or related structure may be placed in a public right-of-way.	Protects public property, sidewalks, utilities, drainage, and road visibility.
Code coordination	Chapter 41 landscape screening and Chapter 71 zoning fence provisions overlap.	Cross-reference and reconcile Chapter 41 with Chapter 71 so front-yard fence rules remain consistent.	Avoids contradictory interpretations during plan review and code enforcement.

B. Current Related Ordinance Framework

La Marque already has useful ordinance pieces, but they are scattered and do not provide a single, clear front-yard fence rule for residents, contractors, and Code Enforcement.

Current section	What it currently does	Needed cleanup
Chapter 71, Sec. 71-1 and Sec. 71-2	Provides zoning authority and purpose for protecting health, safety, general welfare, and orderly land use.	Use this authority for the front-yard fence amendment.
Chapter 71, Sec. 71-4 - Definitions	Contains zoning definitions. It does not clearly define front-yard fence concepts needed for field enforcement.	Add definitions for front yard, required front yard, front-yard fence, open fence, opaque fence, privacy fence, screening/blind fence, sight triangle, and right-of-way.
Chapter 71, Sec. 71-21 - Supplementary district regulations	Contains visibility, yard, accessory building, projection, and related supplemental zoning provisions.	Add a new fence subsection or amend the existing fence-related provisions to create the 48-inch front-yard fence rule and right-of-way prohibition.
Chapter 41, Sec. 41-210 - Landscaping definitions	Defines approved fence materials, privacy fence/wall, and screening/blind fence for landscape requirements.	Reconcile these definitions with Chapter 71 or cross-reference the new Chapter 71 fence definitions.
Chapter 41, Sec. 41-211 - Property perimeter requirements	Requires certain landscape screening and states that screening/blind fences are prohibited in front yards.	Keep the prohibition, but clarify that any front-yard fence or ornamental wall must comply with Chapter 71.
Chapter 44, Article III - Electric fences	Contains permit and safety provisions for electric fences.	Do not use this amendment to unintentionally conflict with state limitations on qualifying battery-charged security fences.

C. Visual Explanation - What Counts as the Front Yard?

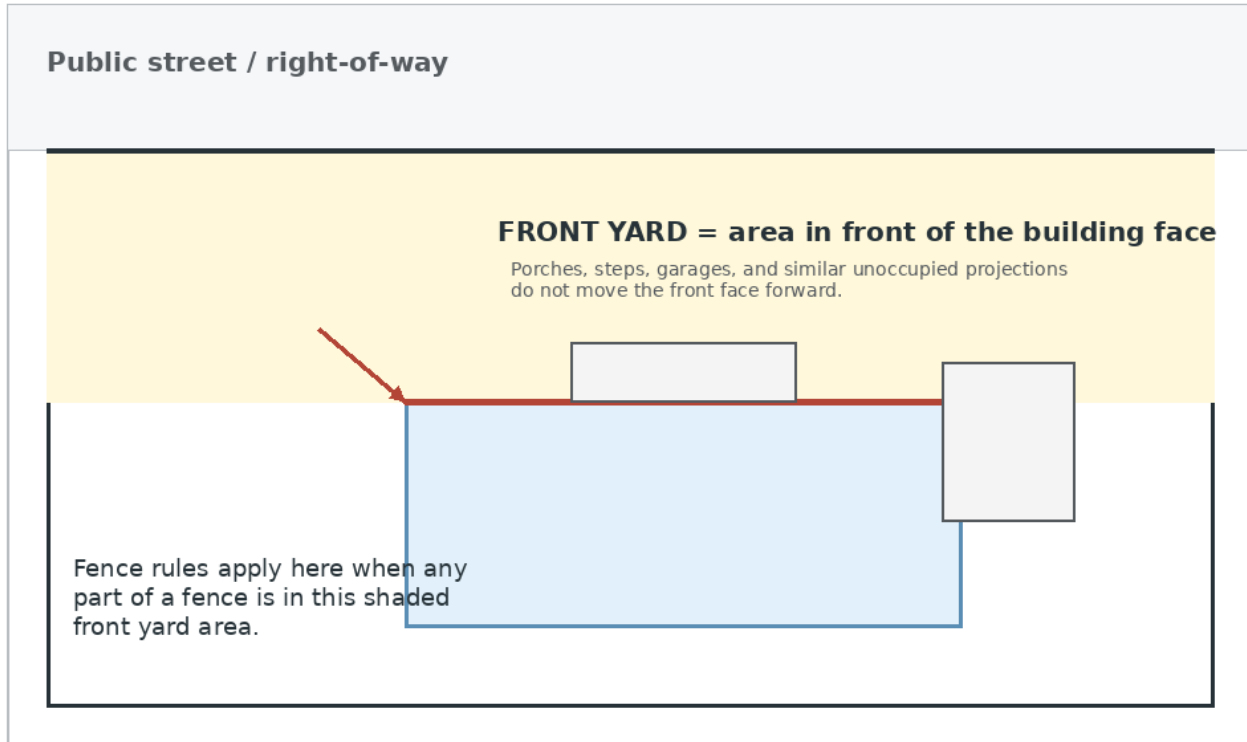


Figure 1. Front-yard fence rules should apply to the area in front of the front face of the principal building, excluding porches, garages, and similar unoccupied projections.

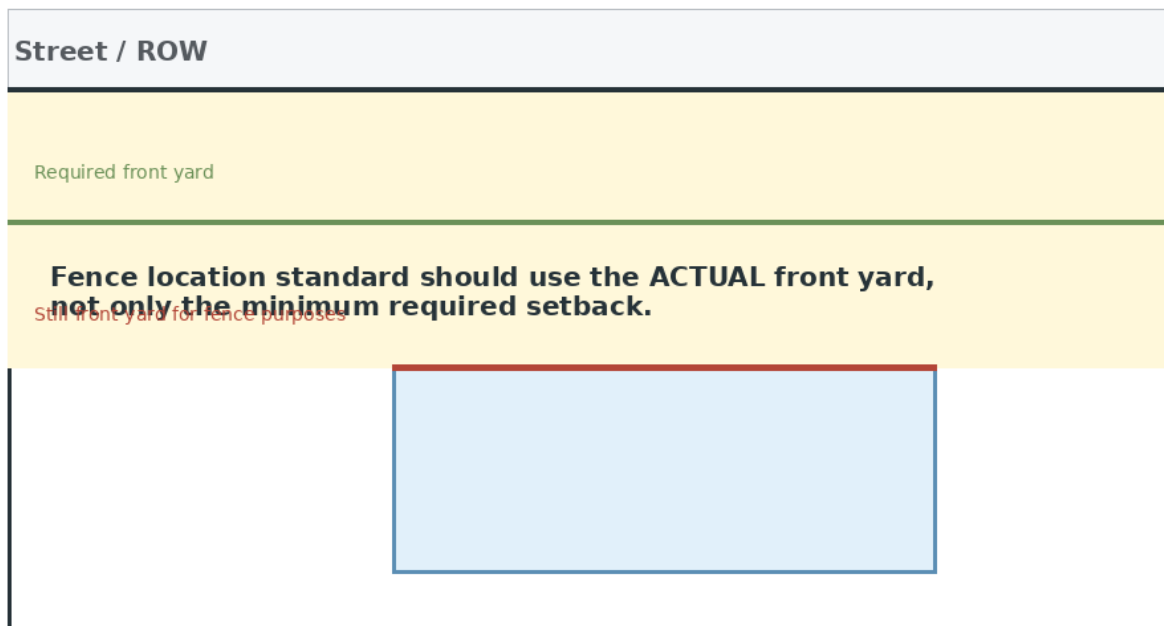


Figure 2. The required front yard setback should still be defined, but fence-location rules should follow the actual front yard in front of the building face.

D. Proposed Front-Yard Fence Rule

Proposed rule	Draft language concept
Front-yard fence trigger	A fence is a front-yard fence when any portion of the fence is located in the front yard.
Front yard definition	Front yard means the portion of the property in front of the front face of the principal building, extending to the front property line. Porches, patios, steps, stoops, carports, garages, bay windows, and similar unoccupied projections shall not determine the front face of the building unless specifically approved by the City.
Required front yard definition	Required front yard means the minimum front setback area required by the applicable zoning district, measured from the front property line to the required front building setback line.
Height	No front-yard fence shall exceed 48 inches in height, measured from the highest side of adjacent grade at the base of the fence.
Right-of-way	No fence, wall, gate, column, post, or related fence structure shall be placed in a public right-of-way.
Opacity and design	Front-yard fences should remain open and decorative in character. The board should choose a specific openness standard, such as at least 50 percent open.
Sight visibility	No fence or related structure may be placed or maintained in a manner that obstructs corner, driveway, alley, or pedestrian visibility.

E. Visual Explanation - Height, Right-of-Way, and Fence Type

Measure from the highest side of adjacent grade at the fence base to the top of the fence.

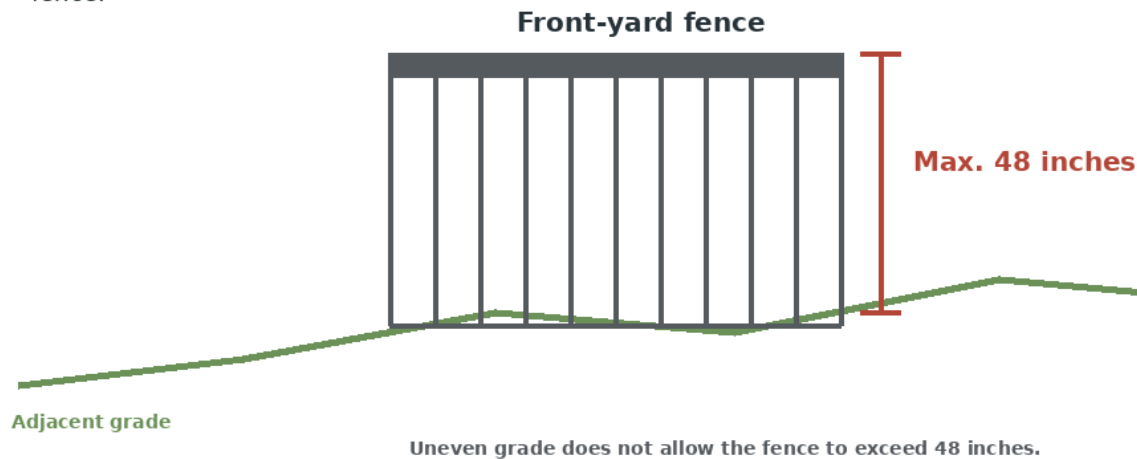


Figure 3. Front-yard fence height should be measured from the highest side of adjacent grade to prevent excess height on uneven lots.

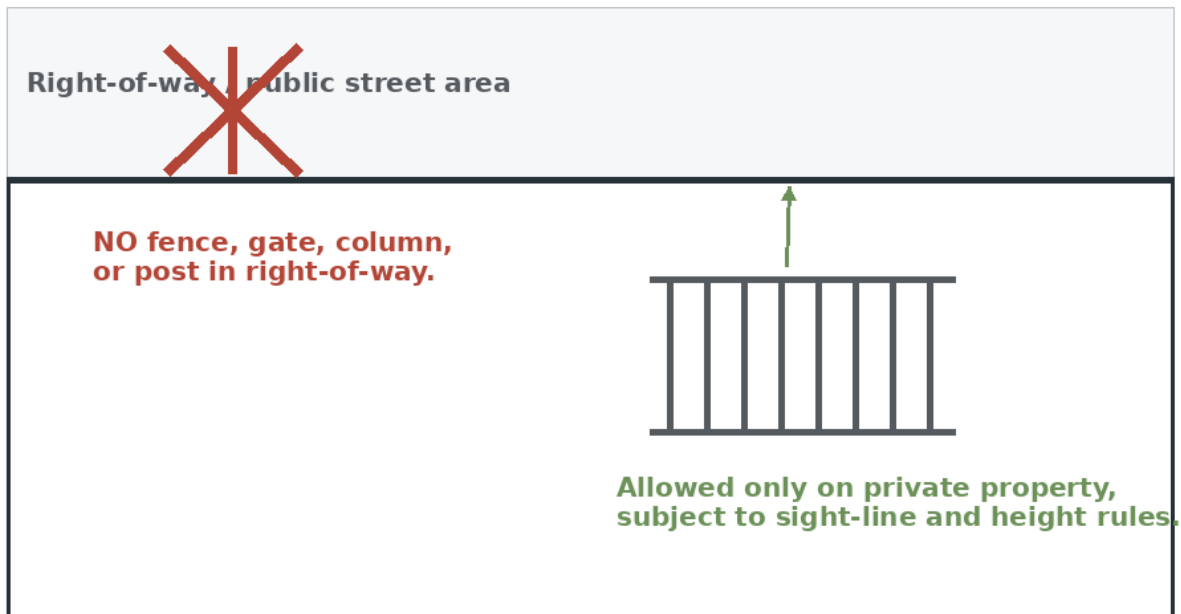


Figure 4. No fence or related structure should be allowed in the public right-of-way.

Recommended front-yard rule

Open/decorative character; maximum 48 inches tall.

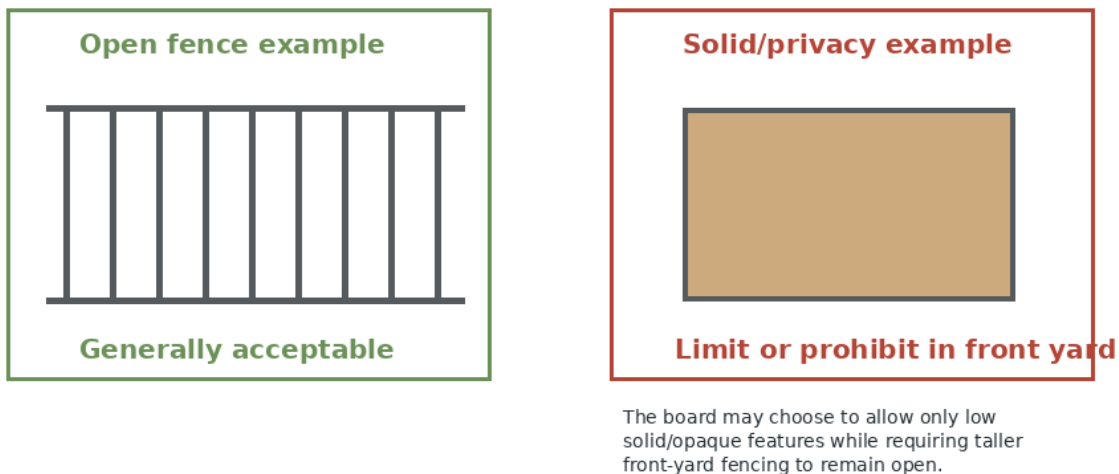


Figure 5. The recommended approach is open/decorative fencing up to 48 inches.

F. Full Ordinance Changes Needed

Action	Code section	Specific change	Purpose
Amend	Sec. 71-4 - Definitions	Add new definitions: fence; front yard; required front yard; front-yard fence; open fence; opaque fence; privacy fence; screening fence/blind fence; sight triangle; public right-of-way.	Creates clear terms before enforcement begins.

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Amend	Sec. 71-21 - Supplementary district regulations	Add a new subsection titled "Front-yard fences" stating that any fence located in the front yard is a front-yard fence and must meet the 48-inch height limit, grade measurement method, openness/design standard, and right-of-way prohibition.	Creates the primary enforceable rule.
Amend	Sec. 71-21(a) - Traffic visibility	Add fences, gates, walls, columns, posts, landscape screens, hedges, and similar objects to the list of items that may not obstruct corner, alley, street, or driveway visibility.	Connects fence review to traffic safety.
Amend	Sec. 71-21 or add new subsection	State that no fence, wall, gate, column, post, or related fence structure may be installed in a public right-of-way, drainage easement, or utility easement unless expressly authorized by the City and all affected utility/easement holders.	Protects public access, utilities, sidewalks, and drainage.
Amend	Sec. 41-210 - Landscaping definitions	Update the definitions of approved fence materials, privacy fence/wall, and screening/blind fence to match or cross-reference Chapter 71.	Prevents duplicate or inconsistent definitions.
Amend	Sec. 41-211 - Property perimeter requirements	Retain the prohibition on screening/blind fences in front yards, but add a cross-reference stating that any ornamental fence or wall used for front landscape screening must comply with Chapter 71 front-yard fence standards.	Coordinates commercial landscape screening with residential/front-yard rules.
Review / amend if needed	Chapter 44, Article III - Electric Fences	Confirm that any front-yard fence amendment does not ban or over-regulate qualifying battery-charged security fences in a way preempted by state law.	Avoids unintended state-law conflict.
Administrative update	Fence FAQ, permit forms, OpenGov workflow, website guidance	Update public guidance to say that a permit may not be required for some fences, but zoning, front-yard, right-of-way, easement, drainage, traffic visibility, pool-barrier, and building-code requirements still apply.	Prevents residents from relying on "no permit required" as "no rules apply."

G. Ordinance vs. Building / Residential Code

A fence can meet the construction code and still violate the zoning ordinance. The ordinance controls location, height, opacity, right-of-way, and neighborhood impact. The adopted building and residential codes control structural safety, pool barriers, retaining walls, floodplain/drainage issues, and unsafe or deteriorated construction.

Ordinance controls	Building / residential code controls
Location in front yard; right-of-way and easement restrictions; height; openness/opacity; public-facing appearance; sight visibility; commercial screening coordination.	Structural safety; wind resistance; pool/spa barrier requirements; retaining walls; floodplain/drainage review; unsafe, broken, leaning, or deteriorated fence conditions.

H. Texas Best-Practice Examples

City	Front-yard approach	Useful idea for La Marque	Source
Dallas	Residential front-yard fences generally limited to 4 feet; fence panels near the front lot line must meet openness standards; height is measured from both sides in certain front-yard situations.	Use a simple 4-foot public-facing rule and a height measurement method that prevents artificial grade issues.	Dallas Code Sec. 51A-4.602
San Antonio	Public FAQ explains that the area to the front face of the home is the front yard; allows different heights for solid and open fence types.	Use the front-face concept and distinguish solid/privacy fencing from open fencing.	San Antonio Residential Fence Permit FAQ
Texas City	Code allows non-opaque front-yard fences with larger openings up to 48 inches and limits opaque fencing more strictly; prohibits fences outside property line and protects view triangles.	Use 48 inches as La Marque maximum and keep solid/privacy front-yard fencing limited.	Texas City Code Sec. 161.005

Draft exhibit for discussion only - City Attorney review required before ordinance adoption

I. Recommended Board Direction

Recommended direction

Direct staff to prepare a front-yard fence ordinance amendment that defines the front yard by the front face of the principal building, treats any fence in that area as a front-yard fence, limits front-yard fences to 48 inches measured from the highest side of adjacent grade, prohibits fence placement in the public right-of-way, and coordinates Chapter 41 landscape screening language with Chapter 71 zoning fence standards.

J. Draft Source Notes

- La Marque Code of Ordinances, Chapter 71: Sec. 71-1 Authority; Sec. 71-2 Purpose; Sec. 71-4 Definitions; Sec. 71-21 Supplementary district regulations; Sec. 71-25 Board of Adjustment; Sec. 71-26 Amendments.
- La Marque Code of Ordinances, Chapter 41: Sec. 41-209 Applicability of landscaping regulations; Sec. 41-210 Definitions; Sec. 41-211 Property perimeter requirements.
- La Marque public Development Services resources identify the currently adopted 2024 ICC codes and 2023 NEC. Building-code compliance remains separate from zoning/location compliance.
- Dallas Code Sec. 51A-4.602, Fence, Screening and Visual Obstruction Regulations; San Antonio Residential Fence Permit FAQ; Texas City Code Sec. 161.005, Fence Requirements.

Exhibit Item 4: Unauthorized Temporary / Bandit Signs

Purpose. Unauthorized temporary signs, commonly called bandit signs, create clutter, weaken the appearance of the City, and are often placed by companies or individuals who rely on the City removing the signs without consequence. This proposal gives the City a clearer enforcement tool: remove illegal signs, hold responsible parties accountable when they can be reasonably identified, preserve lawful political signs on private property, preserve lawful builder/development signs under current regulations, and treat valid garage sale permit signs with a lower penalty cap when the only issue is failure to remove them on time.

Different signs, different rules

The ordinance should distinguish lawful private-property signs from illegal public-location signs.

Garage sale sign

- Private property only
- Valid permit
- 1 day before / 1 day after
- Max 4 days
- \$50 cap for failure to remove

Commercial bandit sign

- No ROW or public property
- Remove and destroy
- Use state/local penalties
- No \$50 cap

Political sign

- Protected on private property
- with owner consent
- No ROW placement
- Content-neutral enforcement

Builder/development sign

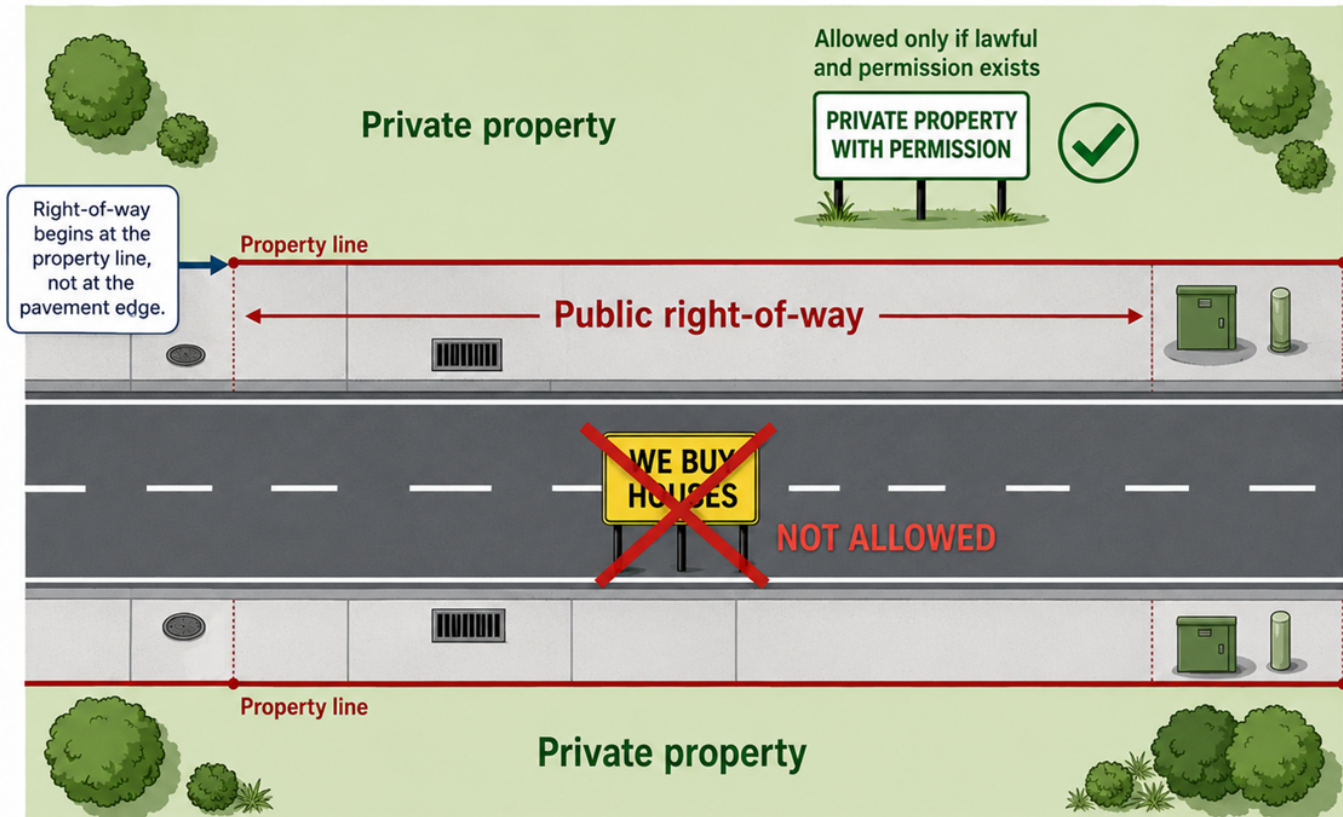
- Allowed at active development
- under current rules
- No ROW placement
- No public fixtures

Illustration: The proposed ordinance should distinguish ordinary permitted garage-sale signs, unlawful commercial bandit signs, protected political signs on private property, and builder/development signs allowed at active developments under current regulations.

1. Summary of Current and Proposed Rules

Topic	Current rule or condition	Proposed change
Garage sale signs	Current Sec. 17-225 prohibits garage sale signs in City right-of-way and requires signs/merchandise removed from public view after the sale.	Allow only on private property with permission; no right-of-way placement; posted 1 day before through 1 day after sale; max 4 days; \$50 cap only for failure to remove a sign tied to a valid garage-sale permit.
Commercial bandit signs	Current sign rules address signs generally, but do not create a simple bandit-sign enforcement path.	Prohibit in rights-of-way, public property, public fixtures, and private property without consent; immediate confiscation/destruction; pursue penalties consistent with state law and local authority, not a \$50 cap.
Political signs	Political signs require state-law caution because state law protects political signs on private property with owner consent.	Do not regulate message or viewpoint; enforce only objective placement rules, including no right-of-way placement and private-property consent requirements.
Builder/development signs	Current regulations allow certain signs related to developments, contractors, builders, and projects when otherwise lawful.	Expressly preserve current builder/development signs at active developments when they comply with current regulations; no right-of-way placement.
Confiscation/destruction	Current code does not clearly state that illegal disposable signs are not returnable after confiscation.	Declare noncompliant unauthorized signs abandoned property/public nuisance; allow immediate removal, confiscation, and destruction; not returnable to owner/advertiser.

No Signs in Public Right-of-Way



Signs must stay off streets, medians, sidewalks, drainage areas, and utility/public fixture areas.

The public right-of-way is broader than the pavement edge.

Illustration: The proposal removes any language that would allow signs in the public right-of-way. The right-of-way is broader than the pavement edge and generally includes public street, sidewalk, shoulder, drainage, and utility areas.

2. Current Related Ordinances and Legal Guardrails

Source	Subject	How it affects this item
La Marque Sec. 71-28	Outdoor advertising sign regulation	Use this section to add the unauthorized temporary / bandit sign rule, definitions, confiscation/destruction authority, responsible-party standards, and savings clauses.
La Marque Sec. 17-225	Garage sale signs	Revise to keep all garage-sale signs out of the right-of-way; allow valid permit signs only on private property with permission and within the approved time window.
La Marque Sec. 17-226	Garage sale penalty	Add a specific \$50 cap for failure to remove a garage-sale sign associated with a valid garage-sale permit; keep other garage-sale violations under the existing general penalty structure as legally appropriate.
Texas Transportation Code Ch. 393	Unauthorized signs in public rights-of-way	Do not create a local permission path for bandit signs in the right-of-way; preserve civil enforcement remedies available under state law.
Texas Election Code Ch. 259	Political signs	Preserve lawful political signs on private property with property-owner consent and avoid content- or viewpoint-based enforcement.

Local source: La Marque Code of Ordinances, Sec. 71-28 and Chapter 17, Article VII. The current garage sale provision states garage sale signs are not allowed on any City right-of-way; sale duration cannot exceed 72 hours; signs and merchandise must be removed from public view after the sale.

State source: Texas Transportation Code Chapter 393 - Outdoor Signs on Public Rights-of-Way. <https://statutes.capitol.texas.gov/Docs/TN/htm/TN.393.htm>

State source: Texas Election Code Chapter 259 - Political Signs. <https://statutes.capitol.texas.gov/Docs/EL/htm/EL.259.htm>

State source: H.B. 3611, 89th Legislature, effective September 1, 2025, amended civil penalty provisions for certain unauthorized signs in public rights-of-way. <https://capitol.texas.gov/tlodocs/89R/billtext/html/HB03611S.htm>

3. Recommended Definitions

Term	Draft definition
Unauthorized temporary sign / bandit sign	A temporary sign, poster, placard, flyer, stake sign, yard sign, snipe sign, banner, or similar sign placed on public property, in a public right-of-way, on a utility pole, traffic-control device, street sign, tree, bridge, median, sidewalk area, drainage area, or other unauthorized location, or placed on private property without the property owner's permission.
Commercial bandit sign	An unauthorized temporary sign that advertises, promotes, directs attention to, or solicits business for a company, service, product, contractor, real estate transaction, job opportunity, event, or paid activity.
Responsible person	The person who places the sign, directs or pays another person to place the sign, commissions placement of the sign, owns the business or activity advertised on the sign, owns or controls the phone number, website, QR code, email, address, or other contact information shown on the sign, or otherwise benefits from the sign placement.
Garage sale sign	A temporary sign advertising a lawful residential garage sale, yard sale, estate sale, moving sale, or similar occasional sale of household goods at a residential property.
Valid garage sale permit sign	A garage sale sign associated with a valid City-issued garage sale permit for the address, date, and sale being advertised.
Builder / development sign	A sign placed by a builder, developer, or authorized representative within the boundaries of the active development or project site, when allowed under the City's current sign regulations and any applicable permit or approval.
Occurrence	Each individual unauthorized sign placed in violation of the ordinance, unless otherwise limited by law.
Right-of-way	The public area dedicated or used for streets, sidewalks, shoulders, medians, drainage, utilities, public access, or transportation purposes, whether improved or unimproved.

4. Proposed Core Rules

A. No signs in any right-of-way

- No person may place, install, post, attach, maintain, or allow any unauthorized temporary sign or bandit sign in any public right-of-way.
- No garage sale sign, political sign, commercial sign, builder sign, temporary sign, or other sign is authorized in the public right-of-way by this proposal.
- No sign may be attached to a utility pole, traffic-control device, street sign, public structure, public tree, bridge, or similar public fixture.

B. Private-property consent required

- A temporary sign may not be placed on private property without permission of the property owner or lawful occupant.
- Political signs on private property with owner consent remain protected to the extent required by state and federal law.

C. Immediate removal, destruction, and no return

- Any noncompliant unauthorized temporary sign, bandit sign, or garage sale sign may be immediately removed, confiscated, and destroyed by the City.
- Confiscated signs should be declared abandoned property and a public nuisance, and should not be returnable to the owner, advertiser, or person responsible for placement.

5. Garage Sale Sign Rule

Garage sale signs should be treated differently from commercial bandit signs because they are usually short-term, neighborhood-based, and connected to a permitted residential activity. They should still be prohibited from public rights-of-way and from private property without permission. Garage sale permits will be issued containing a QR code that links to their permit information and the QR code must be present on all allowed garage sale signs.

Requirement	Proposed standard
Permit link	Sign must be associated with a valid City garage sale permit and display the QR code link to the city permit.
Location	Private property only, with permission of the property owner; no public right-of-way placement.
Timing	May be posted no earlier than 1 day before the advertised sale and must be removed no later than 1 day after the sale.
Maximum duration	Total posting period may not exceed 4 days.
Attachments	May not be attached to utility poles, traffic-control devices, street signs, public structures, public trees, bridges, fences without consent, or similar objects.
Safety	May not block visibility, interfere with pedestrian access, create a traffic hazard, obstruct drainage, or be placed in a driveway/intersection sight triangle.
Penalty cap	For a sign associated with a valid garage sale permit, penalty for failure to remove the sign after the allowed posting period should not exceed \$50.

Garage sale signs: limited time, private property only

Permitted garage sale signs are treated differently, but they are still not allowed in any right-of-way.

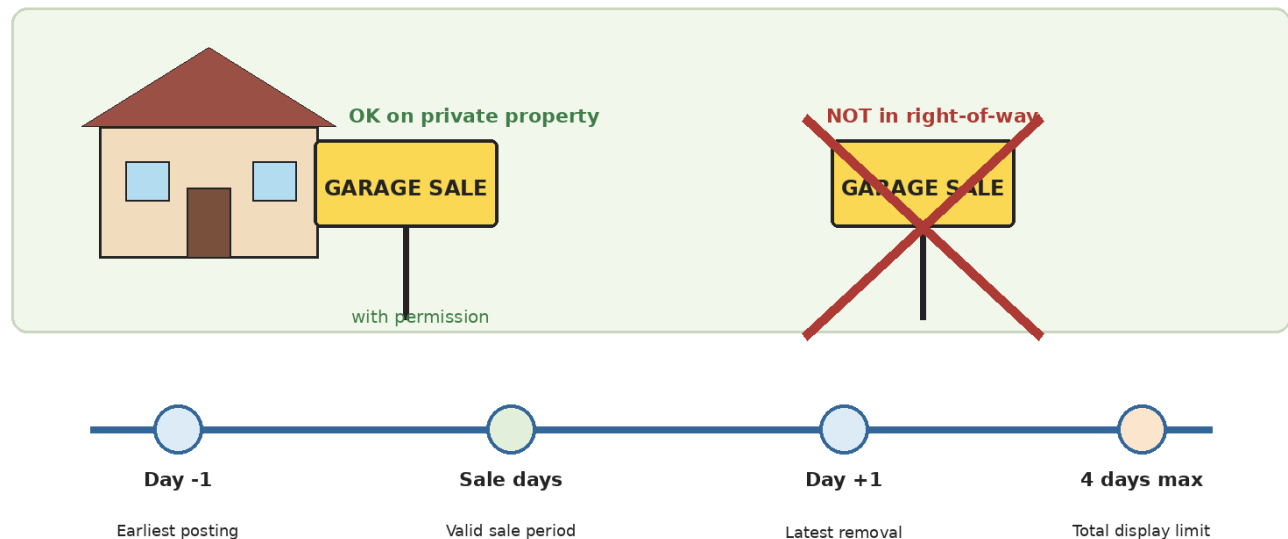


Illustration: A permitted garage-sale sign may be treated as a lower-level violation when it is on private property and the only issue is failure to remove it on time. It is still not allowed in any right-of-way.

6. Builder / Development Sign Savings Clause

Current builder, contractor, subdivision, model home, and development signs should remain allowed when they are located within the boundaries of the active development or project site and comply with current City sign regulations, zoning requirements, permits, approvals, and applicable safety standards.

This savings clause should not allow builder/development signs in public rights-of-way, on public fixtures, or on private property outside the development without permission.

Builder and development signs remain allowed at developments

Current builder/development signs should remain allowed when placed within the project and under current regulations.

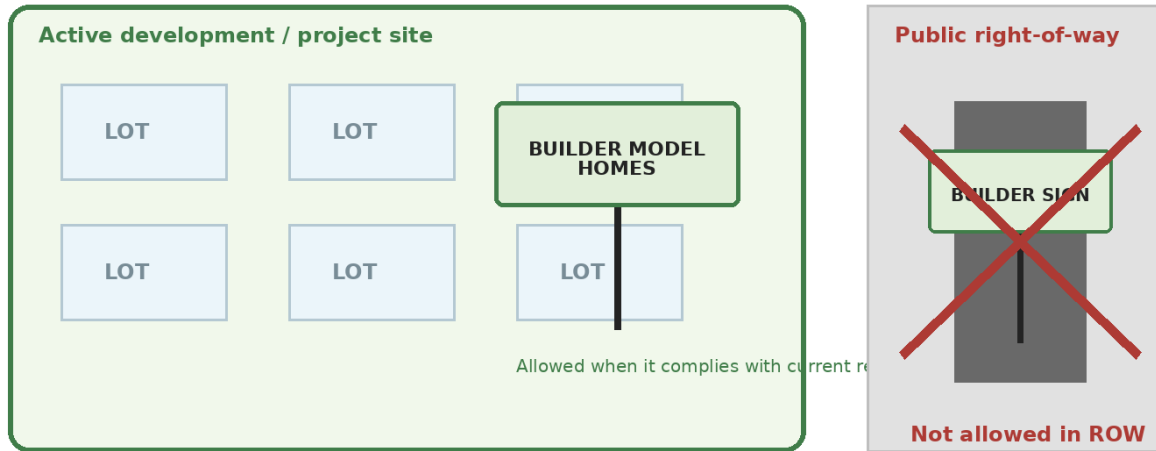


Illustration: Builder/development signs remain allowed at active developments under current regulations, but not in public rights-of-way.

7. Penalty and Enforcement Structure

Violation type	Recommended enforcement
Valid garage-sale permit sign - failure to remove	Penalty capped at \$50 when the sign is associated with a valid garage-sale permit and the violation is failure to remove within the allowed period.
Garage-sale sign in right-of-way	Immediate removal and destruction; citation if appropriate. The right-of-way prohibition should remain firm.
Garage-sale sign on private property without permission	Removal after verification/complaint and citation if responsible party is known.
Commercial bandit sign in right-of-way	Immediate removal and destruction; pursue penalties consistent with state law and local authority. Do not use the \$50 garage-sale cap.
Unauthorized sign on public property or fixture	Immediate removal and destruction; citation or civil enforcement as allowed.
Repeat commercial sign campaign	Refer to City Attorney for state-law civil penalty review and repeat-offender enforcement.

8. Evidence Needed Before Penalty Action

To avoid unfair or speculative enforcement, penalties should be pursued only when responsibility can be reasonably determined. Removal may occur even when the responsible party cannot be identified, but a penalty should rely on evidence.

Category	Guidance
Reasonable evidence	Business name, phone number, website, email, QR code, address, social media account, witness, photo/video of placement, admission, permit record, or repeated campaign with identifiable contact information.
Removal-only situations	No identifying information; unclear private-property consent; anonymous sign; political or issue sign where enforcement should be limited to objective placement violations.
Content-neutral rule	Do not enforce based on message, viewpoint, political belief, or whether staff agrees with the content. Enforce based on location, consent, timing, safety, attachment method, and failure to remove.

Recommended enforcement path

Remove illegal signs quickly, then apply the correct penalty path only when responsibility is reasonably determined.

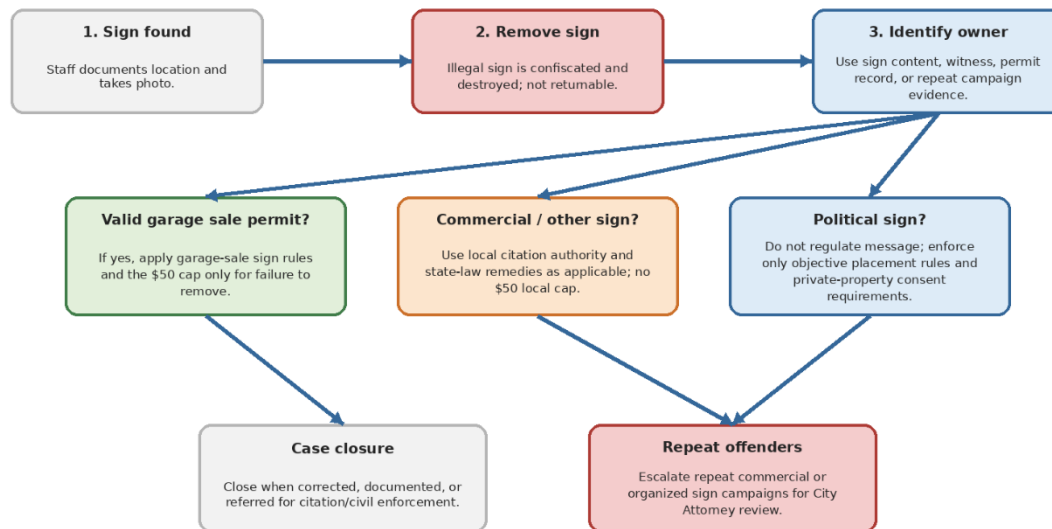


Illustration: Enforcement should first remove illegal signs, then apply the correct penalty path only when responsibility can be reasonably determined.

9. Specific Ordinance Changes Needed

Ordinance / process item	Draft change needed
Amend Sec. 71-28 - Outdoor advertising sign regulation	Add a new subsection for unauthorized temporary / bandit signs, including definitions, prohibition on right-of-way/public property/public fixture placement, private-property consent requirement, immediate removal/destruction authority, nonreturnable sign language, state-law penalty reservation, political-sign savings clause, and builder/development sign savings clause.
Amend Sec. 17-225 - Garage sale signs	Revise garage-sale sign rules to allow signs only on private property with permission; prohibit all right-of-way placement; allow posting from 1 day before through 1 day after the sale, not to exceed 4 days; prohibit attachment to public fixtures; require removal by the person who placed the sign; authorize removal/destruction of noncompliant signs.
Amend Sec. 17-226 - Garage sale penalty	Add a specific \$50 maximum penalty for failure to remove a garage-sale sign associated with a valid City garage-sale permit. Keep broader garage-sale violations subject to the existing penalty structure as appropriate.
Add state-law enforcement reservation	State that the City may pursue any remedy available under state law for unauthorized signs placed in public rights-of-way, including civil penalties authorized by Texas Transportation Code Chapter 393, as amended.
Update public-facing handouts/OpenGov language	Update garage sale permit instructions and sign guidance to clearly state: no signs in rights-of-way; private property permission required; 1 day before/1 day after; max 4 days; failure to remove valid permit sign capped at \$50; all signs must contain QR code.

10. Recommended Draft Standard for Board Discussion

Staff recommendation: Adopt a clear unauthorized temporary sign ordinance that prohibits all signs in public rights-of-way, allows immediate removal and destruction of illegal signs, preserves lawful political signs on private property, preserves current builder and development signs when located at active developments under existing regulations, caps failure-to-remove penalties for valid garage sale permit signs at \$50, and treats commercial bandit signs and other unauthorized temporary signs under the stronger remedies allowed by state law.

Simple public explanation: Signs may not be placed in the public right-of-way. Commercial bandit signs will be removed, destroyed, and pursued under applicable law when the responsible person or company can be identified. Garage sale signs connected to a valid permit may be posted only on private property with permission and only for the allowed time period; failure to remove them will be capped at a \$50 penalty. Lawful political signs on private property and lawful builder signs at active developments remain protected when they comply with applicable law and City regulations.

EXHIBIT ITEM 5

Dumpster, Refuse Container, and Waste Enclosure Screening

Draft ordinance amendment strategy and exhibit backup

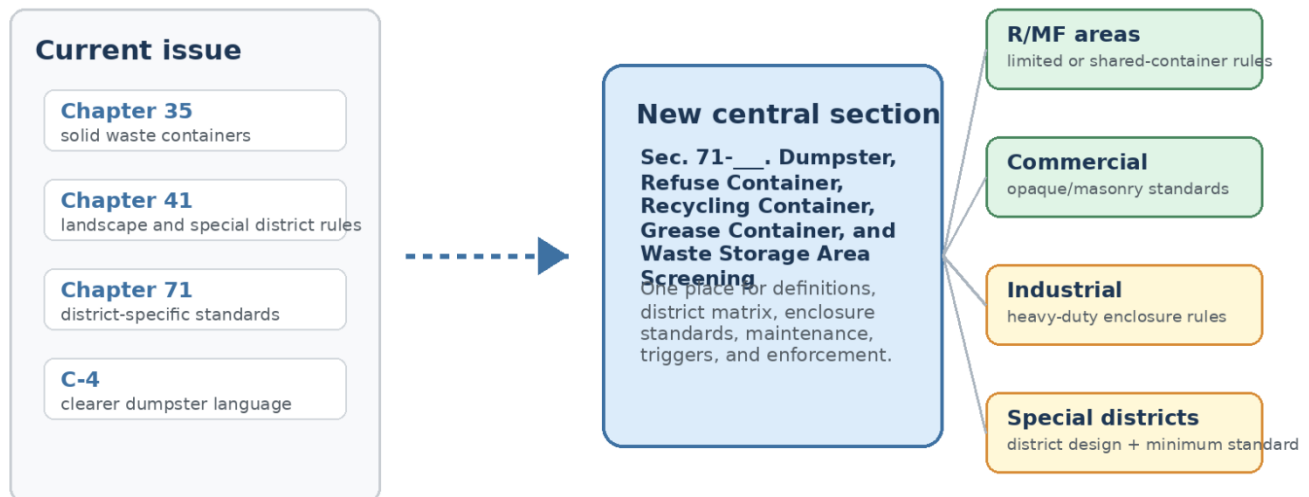
Purpose: Modernize La Marque's dumpster-screening rules by replacing older, scattered, and less effective requirements with one clear citywide standard that still varies by zoning district and land-use intensity.

Why this item matters. The C-4 district has clearer and more modern dumpster-screening expectations than several older zoning areas, but the Code would be easier to use if the standard lived in one place and applied by zoning district or use type. Vegetation can help soften a site, but bushes can die, lose coverage in winter, or fail to be replaced. For commercial and industrial areas, a durable opaque enclosure, and often masonry, is a more reliable standard.

1. Recommended Approach

Recommended Code Strategy

Use one central standard with district-specific cross-references.



Recommended structure: one central Chapter 71 screening section with district-specific cross-references.

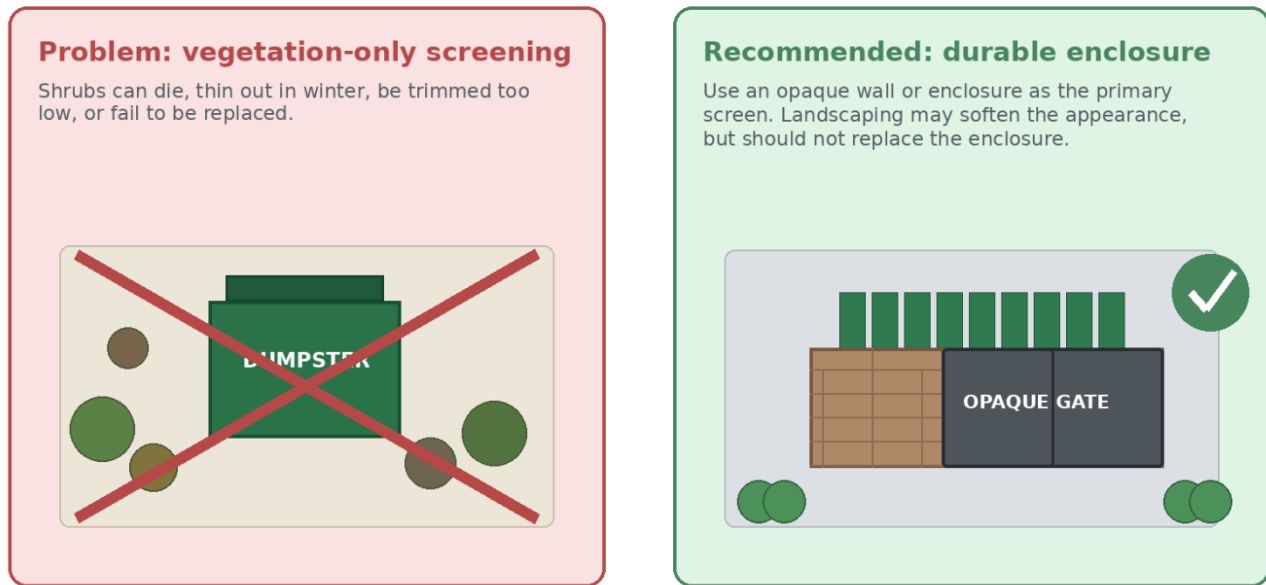
Policy point	Recommended direction
Recommended structure	Create one stand-alone dumpster-screening section in Chapter 71, then amend individual zoning districts to cross-reference it.
Why not repeat rules in each district?	Repeating full language in every district makes future updates harder and increases the chance of conflicting standards.
How to preserve district differences?	Use a district/use matrix inside the central section so each zoning district receives a standard appropriate to its intensity and visibility.
Vegetation policy	Allow landscaping as supplemental screening, but do not allow vegetation alone to satisfy commercial, industrial, multifamily, mixed-use, or institutional screening unless specifically approved for a low-intensity site condition.

2. Summary of Current and Proposed Rules

Topic	Summary
Current Code condition	Dumpster and refuse rules appear in multiple places, including Chapter 35 solid-waste provisions, Chapter 41 special development / landscape provisions, and Chapter 71 zoning provisions.
Current weakness	The rules are not organized into one easy-to-cite standard, and older language can allow screening that is ineffective or difficult to maintain.
Proposed standard	Require durable, opaque screening for shared, commercial, multifamily, institutional, mixed-use, and industrial refuse areas.
Vegetation change	Vegetation may improve the appearance of an enclosure but should not be the primary required screen for commercial or industrial dumpsters.
Commercial / industrial change	Require masonry or an approved durable opaque equivalent for corridor commercial, C-4, restaurants, shopping centers, gasoline stations, industrial, and high-intensity uses.
Single-family lots	Do not require dumpster enclosures for ordinary residential carts; apply the rule only when commercial-style dumpsters, shared containers, or construction dumpsters are used.

3. Visual Standard: Vegetation Alone vs. Durable Enclosure

Screening Standard: What Should Change



Policy distinction: vegetation may supplement screening, but durable opaque construction should provide the primary screen in higher-intensity areas.

Recommended wording concept

Landscaping may be used to soften or enhance a dumpster enclosure, but vegetation alone shall not satisfy required screening for commercial, industrial, multifamily, mixed-use, or institutional refuse containers unless specifically approved by the City for a low-intensity site condition. Any approved vegetation must provide year-round opaque screening and must be maintained in healthy condition.

4. Proposed District / Use Matrix

Group	Districts / uses	Recommended screening rule
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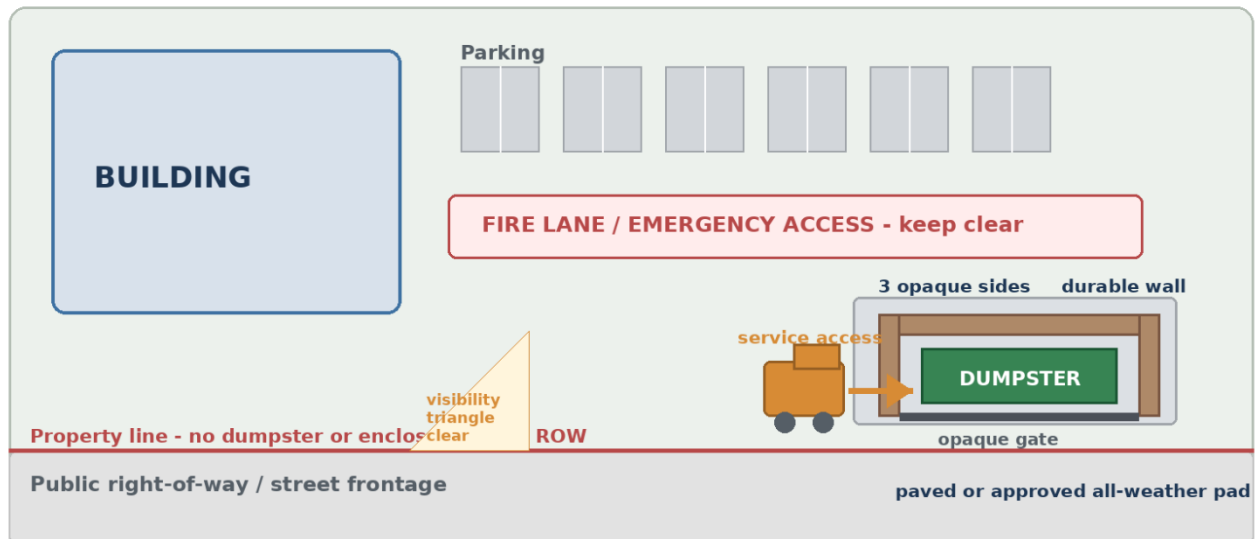
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Group 1: Single-family / duplex	R-1, R-2, ordinary single-family and duplex lots	No enclosure required for ordinary carts. Require screening only if a commercial dumpster, shared container, construction dumpster, or nonresidential-style container is used.
Group 2: Multifamily / MHP / RV	Apartments, condominiums, manufactured home parks, RV parks, senior living, group residential	Opaque enclosure required for shared dumpsters and waste areas. Masonry required when visible from public streets or adjacent single-family residential property.
Group 3: Low-intensity office / neighborhood commercial	Office, small professional, C-1/C-2 type uses	Opaque enclosure required. Masonry preferred; durable opaque fencing may be allowed in lower-visibility areas.
Group 4: Corridor / general commercial	C-3, C-4, retail, restaurants, shopping centers, gasoline stations	Masonry enclosure with opaque gate. Landscaping may be required or allowed only as supplemental screening.
Group 5: Industrial / heavy commercial	I-1, I-2, I-3, warehouses, contractor yards, vehicle service, outdoor storage	Masonry or approved heavy-duty opaque enclosure. Masonry required when visible from streets, highways, residential uses, or public-facing corridors.
Group 6: Special / mixed-use / planned areas	TND, planned development, mixed-use, special-use areas	Screening must be consistent with district design standards, but not less than the citywide minimum.

5. Location and Enclosure Design

Basic Dumpster Enclosure Layout

A compliant location should be screened, serviceable, paved, and clear of right-of-way, fire lanes, visibility triangles, drainage, and required parking spaces.



Basic concept: enclosure on a paved pad, accessible for service, outside the right-of-way, outside fire lanes, and clear of visibility triangles.

Element	Proposed requirement
Location	Outside public rights-of-way, fire lanes, visibility triangles, drainage conflicts, and required parking spaces unless approved by site plan.
Surface	On concrete, asphalt, or other approved paved/all-weather surface suitable for the container and collection vehicle.
Screening sides	Three opaque sides plus an opaque gate on the service side when visible from public view.
Height	At least 6 feet, or at least as tall as the container, whichever is greater.
Gates	Opaque, durable, latchable, and kept closed except during collection or active use.
Materials	Masonry, brick, split-face block, concrete, stone, stucco over masonry, decorative metal with opaque backing, or other approved durable material.
Prohibited primary screens	Vegetation alone, loose pallets, tarps, fabric screens, temporary panels, untreated wood, or ordinary chain link without approved opaque treatment.

6. Trigger Points for Existing Sites

When Existing Sites Must Comply



Recommended policy: do not require every existing site to rebuild immediately, but require compliance at clear trigger points or when the existing condition becomes a visible nuisance, safety issue, or failed screen.

Recommended compliance triggers for existing sites.

Trigger	Recommended requirement
New construction	Full compliance required before final approval.
New commercial CO	Compliance required before CO unless a written compliance plan is approved.
Change of use	Compliance required if the new use increases waste intensity or public impact.
Site-plan approval / major remodel	Compliance required as part of site improvements.
Dumpster relocation or new dumpster service	Compliance required when the container is added or relocated.
Existing nuisance condition	Compliance required after notice when the dumpster is visible, overflowing, unscreened, damaged, or creating public nuisance.
Failed enclosure or dead screening	Repair, replacement, or upgraded screening required after notice.

7. Specific Ordinance Changes Needed

Ordinance location	Draft change
Add new Sec. 71-___	Add a centralized Chapter 71 section titled "Dumpster, Refuse Container, Recycling Container, Grease Container, and Waste Storage Area Screening." Include purpose, definitions, district/use matrix, location, design, vegetation limits, maintenance, triggers, exemptions, enforcement, and appeals.
Amend Sec. 71-17, C-4 Interstate Commercial	Remove detailed standalone dumpster-screening language or reduce it to a cross-reference: "Dumpster, refuse container, recycling container, grease container, and waste storage area screening shall comply with Sec. 71-___."
Amend Sec. 71-16, C-3 Corridor Commercial	Add the same cross-reference so C-3 corridor sites meet the new citywide standard while preserving higher corridor appearance expectations.
Amend C-1 and C-2 district sections	Add cross-reference language requiring compliance with Sec. 71-___ for all nonresidential dumpsters and shared refuse areas.
Amend industrial district sections, including Sec. 71-18 and related I-2/I-3 provisions	Add cross-reference language and clarify that industrial dumpsters, compactors, grease containers, and waste-storage areas must comply with the centralized section, with masonry required where visible from public view or residential areas.
Amend multifamily / MHP / RV provisions in Chapter 41	Add cross-reference language requiring shared dumpsters and refuse areas to comply with the new screening standard.
Amend Chapter 41 landscaping provisions	Clarify that landscaping may supplement dumpster screening but does not replace required durable enclosure screening unless specifically approved under Sec. 71-___.
Coordinate Chapter 35 solid waste provisions	Add a cross-reference stating that container placement, maintenance, and service must also comply with zoning screening requirements where applicable.

8. Enforcement Approach

Level	Example	Recommended response
Minor issue	Gate left open, missing latch, small maintenance issue.	Notice to repair or close gate.
Moderate issue	Dumpster visible because panels are missing, slats are broken, vegetation has died, or enclosure is deteriorated.	Written notice with repair deadline and durable correction.
Major issue	Commercial dumpster in public view with no enclosure, overflowing waste, exposed grease container, or repeated maintenance failures.	Citation, site-plan review, CO review if applicable, and requirement to install approved enclosure.
Severe issue	Dumpster blocks fire access, drainage, right-of-way, required parking, or creates health/sanitation issue.	Short correction deadline or immediate enforcement depending on hazard.

9. Draft Ordinance Concept Language

Purpose

The purpose of this section is to protect public health, safety, property values, neighborhood appearance, corridor appearance, and orderly development by requiring dumpsters, refuse containers, recycling containers, grease containers, compactors, and waste storage areas to be screened, located, and maintained in a durable and attractive manner.

Applicability

This section applies to all multifamily, commercial, industrial, institutional, mixed-use, manufactured home park, recreational vehicle park, and nonresidential properties using a dumpster, refuse container, recycling container, grease container, compactor, or exterior waste storage area.

General requirement

All refuse containers and waste storage areas subject to this section shall be screened from public view by an approved opaque enclosure and maintained in clean, sanitary, structurally sound, and visually effective condition.

Masonry rule

In C-3, C-4, industrial districts, restaurants, shopping centers, gasoline stations, vehicle service uses, and other high-intensity nonresidential uses, required dumpster enclosures shall be masonry or another durable opaque material approved by the City.

Maintenance

Required enclosures, walls, gates, doors, hardware, screening panels, and supplemental landscaping shall be continuously maintained. Gates shall remain closed except during refuse collection or active use.

10. Recommended Exemptions

Exemption	Recommended limit
Single-family residential carts	Exempt unless using commercial-style dumpsters or shared containers.
Temporary construction dumpsters	Exempt from permanent enclosure if properly located and removed when construction ends.
Emergency cleanup containers	Temporary exemption during declared emergency or City-approved cleanup.
Small residential roll-off for cleanout	Temporary exemption with time limit and proper placement.
City-approved special events	Temporary exemption if a waste plan is approved.

11. Board Discussion Questions

- Should masonry be mandatory for all commercial and industrial dumpsters, or only when visible from public streets, corridors, or residential property?
- Should existing businesses comply immediately, or only at CO, change of use, site-plan review, nuisance condition, or enclosure failure?

- Should vegetation ever be allowed as primary screening, or only as supplemental screening?
- Should low-intensity office and neighborhood commercial sites be allowed durable opaque fencing instead of masonry when not visible from major streets?
- Should noncompliant existing dumpsters be handled through phased compliance plans to reduce immediate cost?

12. Staff Recommendation

Recommended direction: Create a centralized Chapter 71 dumpster-screening section with a zoning/use matrix; require durable opaque screening for multifamily, commercial, industrial, institutional, mixed-use, and nonresidential refuse areas; require masonry enclosures for corridor commercial, C-4, restaurants, shopping centers, gasoline stations, and industrial or high-intensity uses; allow landscaping only as supplemental screening in commercial and industrial areas; and amend affected zoning districts to cross-reference the new centralized standard.

Sources Reviewed

- City of La Marque Code of Ordinances, Supplement No. 17, February 2026, through Ordinance No. O-2025-0003.
- Chapter 35, Garbage, Rubbish and Rubble: containers, placement, maintenance, commercial containers, recycling sites, and enforcement provisions.
- Chapter 41, Manufactured Home Parks, Recreational Vehicle Parks, Traditional Neighborhood District, and landscaping / waste management provisions.
- Chapter 71, Zoning: C-3 Corridor Commercial, C-4 Interstate Commercial, industrial district standards, screening concepts, and supplementary district regulations.

Drafting note: This exhibit is policy discussion material and should be converted into final ordinance text by or with review from the City Attorney before adoption.

Exhibit Item 6

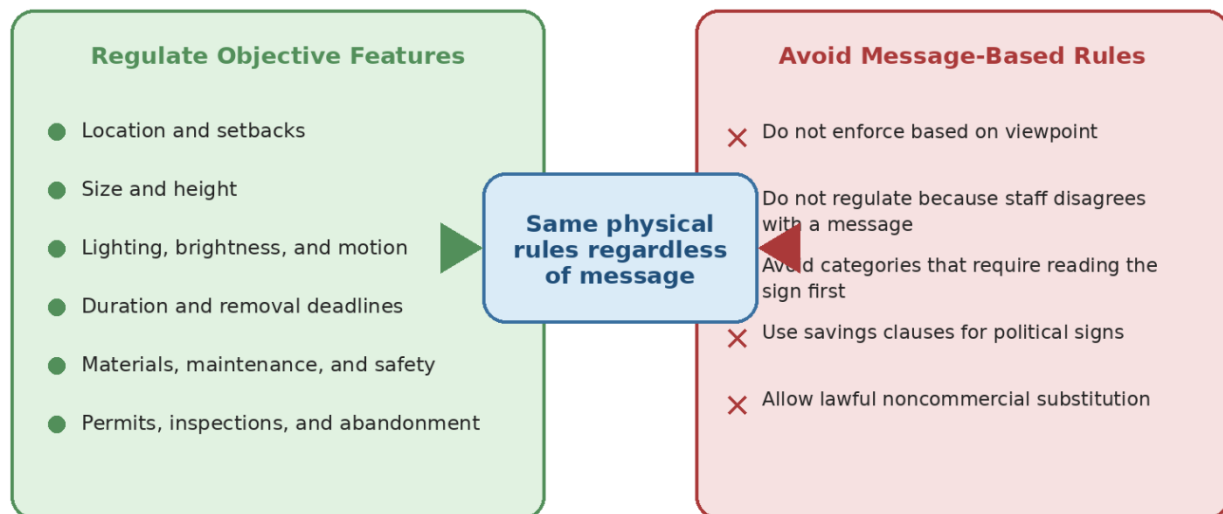
Sign Code Legal Compliance and Modernization

Draft exhibit for discussion - not final ordinance language

1. Purpose

The purpose of this item is to modernize La Marque's sign code so it is easier to understand, easier to enforce, and more legally defensible. **A modern sign code should focus on objective standards - location, size, height, setbacks, lighting, movement, duration, maintenance, and safety - rather than the message displayed on the sign.**

Modern Sign Code Approach



Goal: make the ordinance easier to enforce and more defensible while preserving lawful speech.

Illustration: The recommended approach is to regulate physical and safety characteristics of signs, not viewpoint or message content.

2. Board Summary

Topic	Recommended direction
Primary issue	Current sign regulations contain useful rules, but the Code should be reorganized and updated to reduce legal risk and improve day-to-day enforcement.
Best ordinance strategy	Retain Sec. 71-28 as the main citywide sign section, rewrite it in a clearer structure, and add cross-references to C-4, TND, garage-sale, and bandit-sign provisions.
Main legal update	Move away from message-based categories and add content-neutral administration, political-sign savings, and noncommercial-substitution language.
Main operational update	Create clear tables for signs allowed without a permit, signs requiring a permit, temporary signs, prohibited signs, digital signs, abandoned signs, and unsafe signs.
Expected improvement	The updated ordinance should be easier for applicants to follow, easier for staff to enforce, and better aligned with current First Amendment and Texas statutory requirements.

3. Summary of Current Related Ordinances

La Marque already has several useful sign-related provisions. The recommended update should not discard these provisions; it should reorganize and modernize them so the standards are easier to locate and apply.

Current code area	Current condition	Recommended update
Sec. 71-28 - Outdoor advertising sign regulation	Main citywide sign regulation section, including sign purposes, definitions, temporary and permanent signs, right-of-way/public-property restrictions, abandoned signs, lighting, and maintenance.	Keep as the main sign section but reorganize, modernize definitions, and add legal safeguards.
Sec. 71-17 - C-4 Interstate Commercial	Contains C-4-specific monument and billboard standards, including sign area, height, spacing, setbacks, landscaping, materials, and cross-reference to Sec. 71-28 for other signs.	Preserve district-specific standards but cross-reference the modernized Sec. 71-28 and review any right-of-way encroachment language for consistency with the City's policy direction.
Chapter 41 - TND sign provisions	Contains special sign design rules for traditional neighborhood development areas, including pedestrian-oriented signs and review expectations.	Preserve the design intent but align terminology and legal safeguards with the updated sign code.
Chapter 17 - Garage sale signs	Garage sale sign provisions currently prohibit right-of-way placement and include a general penalty structure.	Coordinate with Item 4 so garage-sale signs are treated more leniently than commercial or repeat bandit-sign violations.
Bandit sign amendments - Item 4	Addresses unauthorized temporary signs, confiscation/destruction, public rights-of-way, commercial sign responsibility, and garage sale sign penalties.	Add cross-references so Sec. 71-28 and Item 4 work together rather than duplicating language.

Local source references: City of La Marque Code of Ordinances, including Secs. 71-28, 71-17, Chapter 41 TND sign provisions, and Chapter 17 garage-sale provisions.

4. Legal Guardrails

The updated sign code should be written around current federal and Texas law. The purpose is not to remove the City's ability to regulate signs, but to regulate them in the safest and most enforceable way.

Legal area	Rule / concern	Drafting response
Content-based sign rules	Reed v. Town of Gilbert held that sign rules that depend on the topic or message of a sign are content-based and subject to heightened constitutional review.	Avoid rules that require staff to read the message first before deciding which rule applies.
On-premises/off-premises signs	City of Austin v. Reagan National Advertising allows on-premises/off-premises distinctions when carefully written and not based on viewpoint or subject matter.	Keep this structure if needed, but define it carefully and apply it consistently.
Political signs	Texas Election Code Chapter 259 protects political signs on private real property with the owner's consent and limits municipal regulation of those signs.	Add a political-sign savings clause and continue prohibiting signs in rights-of-way unless superior law requires otherwise.
Signs in public rights-of-way	Texas Transportation Code Chapter 393 restricts signs in public road rights-of-way and allows municipal regulation for municipal road rights-of-way.	Coordinate with Item 4; prohibit right-of-way placement and preserve stronger state-law remedies where applicable.

Sources: [Reed v. Town of Gilbert](#); [City of Austin v. Reagan National Advertising](#); [Texas Election Code Chapter 259](#); [Texas Transportation Code Chapter 393](#).

Right-of-Way Rule Concept

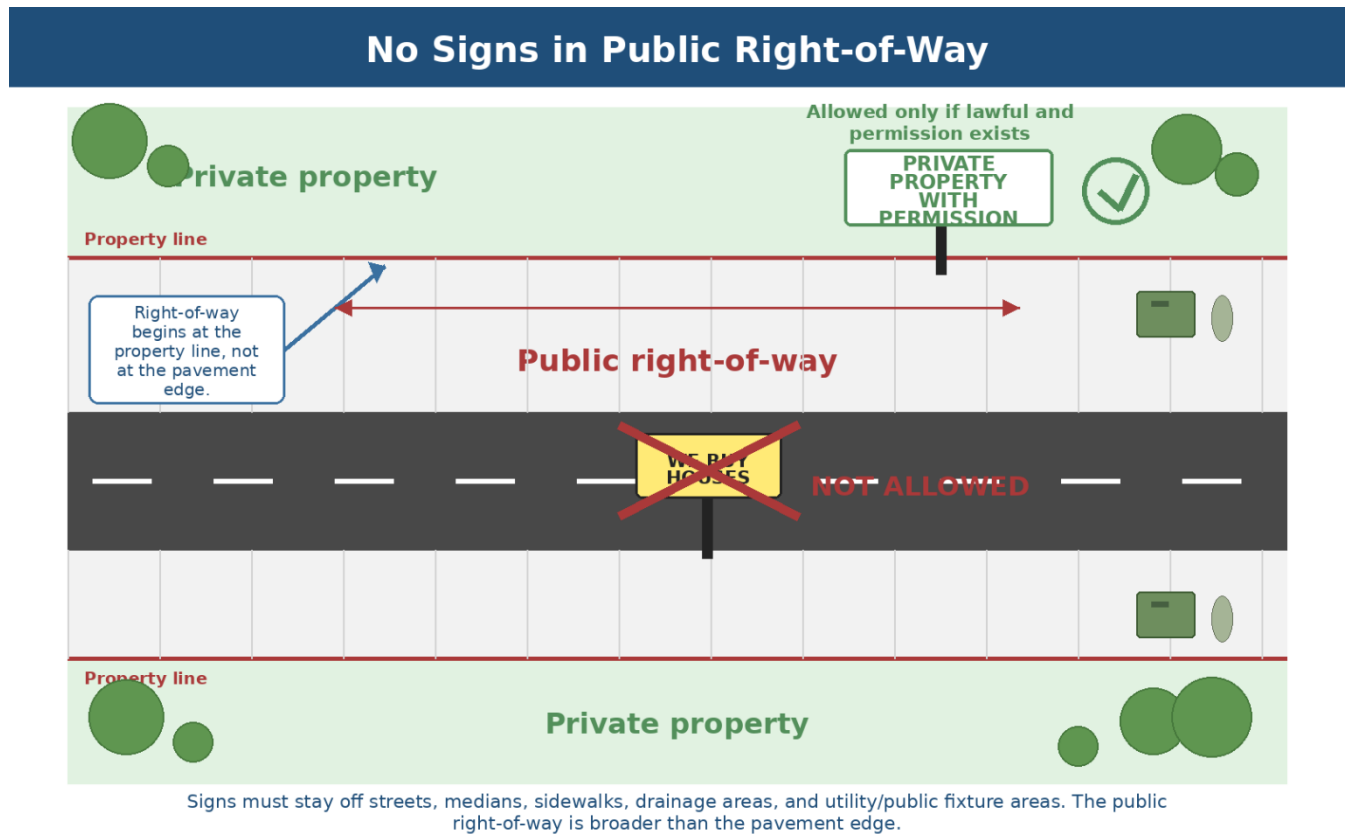
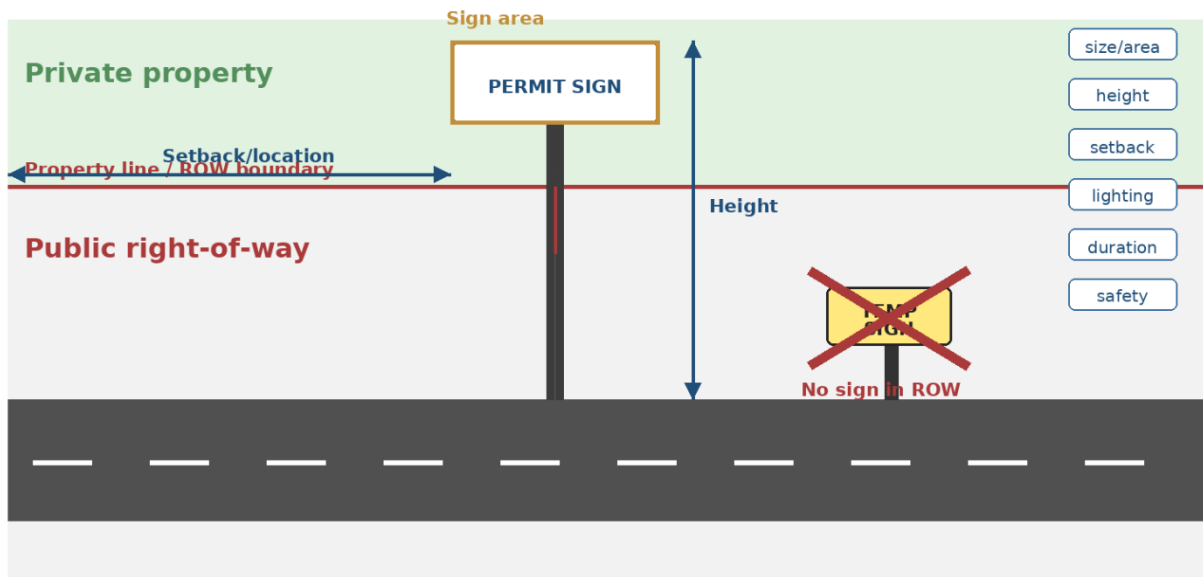


Illustration: Public right-of-way is broader than pavement. Signs should remain outside public right-of-way unless placed by or authorized for a governmental, utility, or other legally permitted public purpose.

5. Main Problems to Correct

Issue	Current problem	Specific change needed
Message-based categories	The Code and related provisions use terms such as construction, real estate, garage sale, community event, and similar categories.	Rewrite rules around physical type, location, duration, permit status, and on-premises/off-premises status; keep only limited administrative categories where necessary.
Subjective appearance standards	Terms such as unobtrusive, compatible, or harmonious can be useful goals but difficult to enforce consistently.	Replace broad subjective standards with measurable requirements: area, height, setback, brightness, materials, landscaping, and maintenance.
Temporary sign clarity	Temporary signs need simple rules for when they are allowed, how large they may be, how long they may stay, and who removes them.	Create a temporary-sign table based on physical sign type, zoning district, permit need, duration, and removal deadline.
Abandoned and unsafe signs	Old tenant panels, failed poles, damaged sign faces, and unsafe structures create blight and safety issues.	Clarify notice, deadline, emergency removal, cost recovery, and nonconforming status triggers.
Digital/electronic signs	Digital signs require special safety controls that ordinary signs do not.	Add brightness, automatic dimming, hold time, malfunction shutdown, and no flashing/strobing/video standards where appropriate.
Bandit sign coordination	Unauthorized temporary signs should not be scattered between multiple ordinances with different rules.	Use Item 4 as the enforcement center and add a cross-reference in Sec. 71-28.

Objective Sign Controls



Modern rules should tell applicants where the sign may go, how large it may be, how long it may stay, and how it must be maintained.

Illustration: The sign code should state objective requirements such as sign area, height, location, setbacks, duration, lighting, and safety clearances.

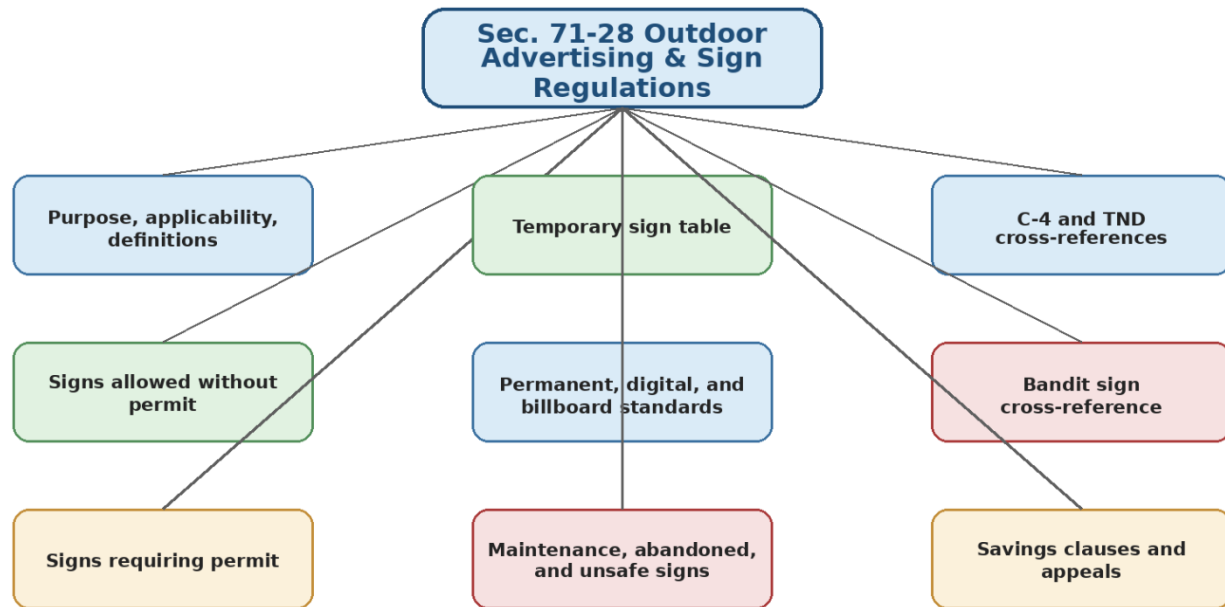
6. Recommended Definitions to Add or Revise

Term	Draft definition concept
Sign	Any structure, device, display, surface, flag, banner, object, light, marking, or visual communication used to identify, advertise, direct, inform, or attract attention and visible from public view.
Sign face	The portion of a sign structure containing or intended to contain copy, symbols, graphics, lighting, or other visual display.
Sign area	The total area of the sign face, measured by the smallest regular geometric shape or combination of shapes enclosing the display.
On-premises sign	A sign located on the same property as the activity, business, institution, service, product, property, event, or use to which the sign relates.
Off-premises sign	A sign directing attention to an activity, business, institution, service, product, property, event, or use located on a different property from the sign.
Temporary sign	A sign not permanently attached to the ground, building, or approved permanent sign structure, or a sign intended to be displayed for a limited duration.
Permanent sign	A sign constructed, installed, or approved for long-term use and attached to a building, foundation, monument base, pole, or other permanent structure.
Noncommercial sign	A sign that does not advertise a commercial transaction, product, service, business, or commercial activity.
Abandoned sign	A sign that no longer identifies a lawful active use, has not been maintained after notice, is structurally failed, or has no responsible owner.
Electronic/digital sign	A sign capable of changing copy by electronic means or using LED, LCD, electronic, or similar display technology.
Public right-of-way	The area dedicated or used for streets, sidewalks, medians, shoulders, drainage, public utilities, transportation, or public access, whether improved or unimproved.

7. Recommended Code Structure

Staff recommends keeping Sec. 71-28 as the main sign section, but rewriting it into a more readable structure. This allows C-4, TND, garage-sale, and bandit-sign provisions to cross-reference one centralized sign framework.

Proposed Sign Code Organization



Recommendation: keep one main citywide sign section, then cross-reference district-specific rules instead of duplicating standards.

Illustration: Centralize core sign rules in Sec. 71-28 and cross-reference special district or special-topic sign standards.

Recommended Sec. 71-28 structure	
1. Purpose and findings	2. Applicability
3. Definitions	4. General sign rules applicable to all signs
5. Signs prohibited in all districts	6. Signs allowed without a permit
7. Signs requiring a permit	8. Temporary signs
9. Permanent on-premises signs	10. Off-premises signs and billboards
11. Electronic and digital signs	12. District-specific sign standards
13. C-4 sign standards cross-reference	14. TND sign standards cross-reference
15. Sign maintenance and abandoned signs	16. Nonconforming signs
17. Unsafe signs and emergency removal	18. Unauthorized signs / bandit-sign cross-reference
19. Political and noncommercial speech savings clauses	20. Enforcement, penalties, cost recovery, and appeals

8. Key Draft Ordinance Concepts

Concept	Draft language / direction
Content-neutral administration	The City shall administer and enforce this section in a content-neutral manner. Except where expressly allowed by law, signs shall be regulated based on objective characteristics such as size, height, location, materials, lighting, duration, movement, structural safety, zoning district, and on-premises or off-premises status, and not based on viewpoint or disagreement with the message displayed.
Political sign savings clause	Nothing in this section shall be interpreted to prohibit or regulate a political sign located on private real property with the consent of the property owner in a manner prohibited by Texas Election Code Chapter 259 or applicable federal law. Political signs remain prohibited in public rights-of-way unless authorized by superior law.
Noncommercial substitution clause	Any sign allowed under this section may display a lawful noncommercial message in lieu of any commercial message, provided the sign complies with all applicable physical, structural, location, lighting, duration, and permit requirements.
Right-of-way prohibition	No sign shall be placed, installed, posted, attached, maintained, or displayed in any public right-of-way unless placed by the City, another governmental entity, a public utility, or otherwise expressly authorized by superior law and approved by the City where required.
Public fixture prohibition	No sign shall be attached to any utility pole, street sign, traffic-control device, public light pole,

Concept	Draft language / direction
	hydrant, bridge, public fence, public tree, or other public structure, except signs placed by or on behalf of the City, another governmental entity, public utility, or authorized contractor.
Abandoned sign removal	A sign shall be considered abandoned if it no longer identifies an active lawful use, has not been maintained after notice, has missing or damaged structural components, has obsolete tenant or business copy for more than the allowed period, or has no responsible owner. Abandoned signs shall be repaired, refaced, removed, or brought into compliance after notice from the City.
Electronic and digital signs	Electronic and digital signs should include maximum brightness, automatic dimming, minimum message hold time, malfunction shutoff, no flashing/strobing/video near traffic corridors, separation from residential areas where appropriate, and traffic safety review.

9. Tables to Develop in the Ordinance

A modern sign code should use tables wherever possible. Tables make the ordinance easier for the public to read and easier for staff to apply.

Signs allowed without permit - example table	Proposed limit
Address numbers / required identification	Allowed as required by code.
Small window signs	Allowed if under maximum window coverage and not unsafe.
Incidental or directional signs	Allowed if small, on-premises, and not advertising-oriented beyond the allowed purpose.
Small private-property temporary signs	Allowed if under size/height limits, outside right-of-way, and outside sight triangles.
Governmental / utility signs	Allowed when placed by or authorized for the public purpose.
Signs requiring permit - example table	Permit needed
Monument sign	Yes
Pole sign	Yes, if allowed by district
Wall sign	Yes above exempt size
Project/development sign	Yes unless exempt by size/duration
Electronic message sign	Yes
Billboard/off-premises sign	Yes, only where allowed
Awning/canopy sign	Yes
Freestanding commercial sign	Yes
Prohibited signs - example table	Reason
Signs in public rights-of-way	Safety, public property control, and state-law coordination
Signs attached to traffic-control devices	Safety
Signs blocking sight triangles	Traffic and pedestrian safety
Flashing/strobe/chasing signs	Traffic distraction
Abandoned signs	Blight and safety
Unsafe signs	Public hazard
Signs imitating official traffic-control devices	Public safety
Signs on public fixtures	Safety and public property protection

10. Specific Ordinance Changes Needed

Code section / topic	Required change
Amend Sec. 71-28 - Outdoor advertising sign regulation	Comprehensively reorganize the main sign section; update definitions; remove or reduce message-based categories; add content-neutral enforcement language; add noncommercial substitution; add political sign savings; clarify temporary, permanent, digital, abandoned, unsafe, and nonconforming sign standards; add bandit-sign cross-reference.
Amend Sec. 71-17 - C-4 Interstate Commercial	Keep C-4-specific monument and billboard standards where appropriate, but state that all C-4 signs must comply with Sec. 71-28 unless a C-4 provision expressly controls. Review language that could allow signs in public rights-of-way and revise to match the City's right-of-way policy.
Amend Chapter 41 - TND sign provisions	Preserve TND design intent while aligning terminology, content-neutral language, political-sign protection, temporary sign treatment, and cross-references with the updated Sec. 71-28.
Amend Chapter 17 - Garage sale signs	Coordinate with Item 4 so garage-sale signs remain outside rights-of-way, are tied to valid permits, and have a lower penalty cap for failure to remove signs associated with a valid garage-sale permit.
Add cross-reference to bandit sign rules	State that unauthorized temporary signs, public-property signs, right-of-way signs, and

Draft for discussion - not final ordinance language

Code section / topic	Required change
	signs attached to public fixtures are also subject to Item 4 enforcement, removal, confiscation, destruction, and penalty provisions.
Review Chapter 14 / directional or wayfinding references	Review any public, directional, wayfinding, or TND-related signage references and align them with the updated sign code structure.

11. Recommended Enforcement Approach

Level	Example	Recommended response
Minor violation	Temporary sign slightly past allowed duration with no safety issue.	Courtesy correction or notice with removal deadline.
Routine violation	Unpermitted sign, excessive size, faded sign, or improperly maintained sign.	Notice of violation, correction deadline, and reinspection.
Public safety violation	Sign blocks visibility, traffic control, pedestrian route, egress, fire access, or creates structural hazard.	Short correction deadline or immediate removal if unsafe.
Abandoned / unsafe sign	Vacant tenant panel, damaged pole sign, missing sign face, leaning sign, or electrical hazard.	Repair, reface, or remove after notice; emergency abatement if immediate hazard.
Repeat or intentional violation	Repeated unpermitted signs, commercial bandit sign campaigns, or ignored notices.	Citation, cost recovery, permit hold, City Attorney review, or other remedy allowed by law.

12. Board Discussion Questions

- Should the City authorize a full rewrite of Sec. 71-28, or only targeted amendments?
- Should La Marque continue allowing pole signs broadly, or move toward monument signs in certain commercial corridors?
- Should electronic message signs be allowed only in certain districts or along certain corridors?
- Should brightness, animation, and message-hold standards be added for digital signs?
- Should abandoned sign removal be strengthened with clearer cost recovery and lien language?
- Should C-4 keep its current flexibility while being cross-referenced to the citywide sign standards?
- Should older nonconforming signs lose protected status after vacancy, structural failure, relocation, or major repair?

13. Draft Staff Recommendation

Staff recommends preparing a sign-code modernization ordinance that keeps the useful structure of La Marque's existing sign regulations, but updates the ordinance to improve legal defensibility, remove or reduce content-based classifications, add a noncommercial substitution clause, protect political signs as required by state law, strengthen temporary sign and abandoned sign enforcement, clarify digital/electronic sign standards, and coordinate the sign code with the Item 4 bandit-sign amendment. **This approach would make the sign code easier for applicants to follow, easier for staff to enforce, and better aligned with current First Amendment and Texas statutory requirements.**

14. Source Notes

Source	Use in exhibit	Link
La Marque Code of Ordinances	Current local sign framework, including Sec. 71-28, Sec. 71-17, Chapter 41 TND sign standards, and Chapter 17 garage-sale sign provisions.	Open source
Reed v. Town of Gilbert, 576 U.S. 155 (2015)	Federal First Amendment sign-code case regarding content-based sign rules.	Open source
City of Austin v. Reagan National Advertising, 596 U.S. 61 (2022)	Federal First Amendment sign-code case addressing on-premises/off-premises distinctions.	Open source
Texas Election Code Chapter 259	State political-sign protection and required notice language.	Open source
Texas Transportation Code Chapter 393	State regulation of signs in public rights-of-way.	Open source

Exhibit Item 7

Wind Design and Code-Compliance Cleanup

Draft for discussion - not final ordinance language

Introduction. Wind design is complicated because the correct wind speed is not a single citywide number. In a coastal community like La Marque, the correct design depends on the project location, structure type, risk category, exposure, windborne-debris requirements, product approvals, and the adopted code. The purpose of this item is to remove conflicting fixed wind-speed references and require the actual project-specific wind design criteria to be shown on the plans.

Recommended direction: Remove fixed wind-speed numbers from ordinance language and require project-specific wind design criteria based on the 2024 IRC, 2024 IBC, ASCE 7, and applicable TDI/TWIA requirements.

Ordinance Cleanup: Fixed Number to Site-Specific Design

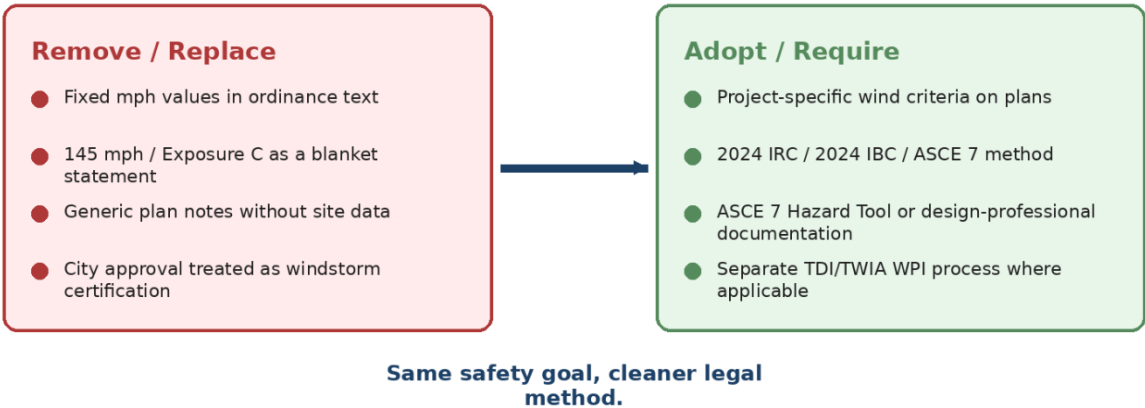


Illustration: The update replaces fixed mph language with a site-specific code method.

1. Why This Change Is Needed

The current issue is consistency. City materials have used fixed wind-speed statements, while TDI now states that the required wind speed must be determined for each structure based on location. The City should avoid appearing to guarantee that one fixed number is correct for every project.

Current source	Issue	Recommended change
Chapter 14 local amendment	Older local language includes a fixed minimum wind-speed value.	Replace with project-specific 2024 IRC / 2024 IBC / ASCE 7 / TDI language.
Building permit application	Current application language references 145 mph with Exposure C.	Replace fixed-number statement with required wind-design data fields.
Public handouts / FAQ	A single fixed number can be simpler but may be incomplete or misleading.	State that wind design is project-specific and must be shown on plans.
TDI / TWIA process	City permit approval may be confused with windstorm certification.	Clarify that WPI inspection/certification is separate and not waived by City approval.

2. Clear Applicant Path

Wind Design Compliance Path

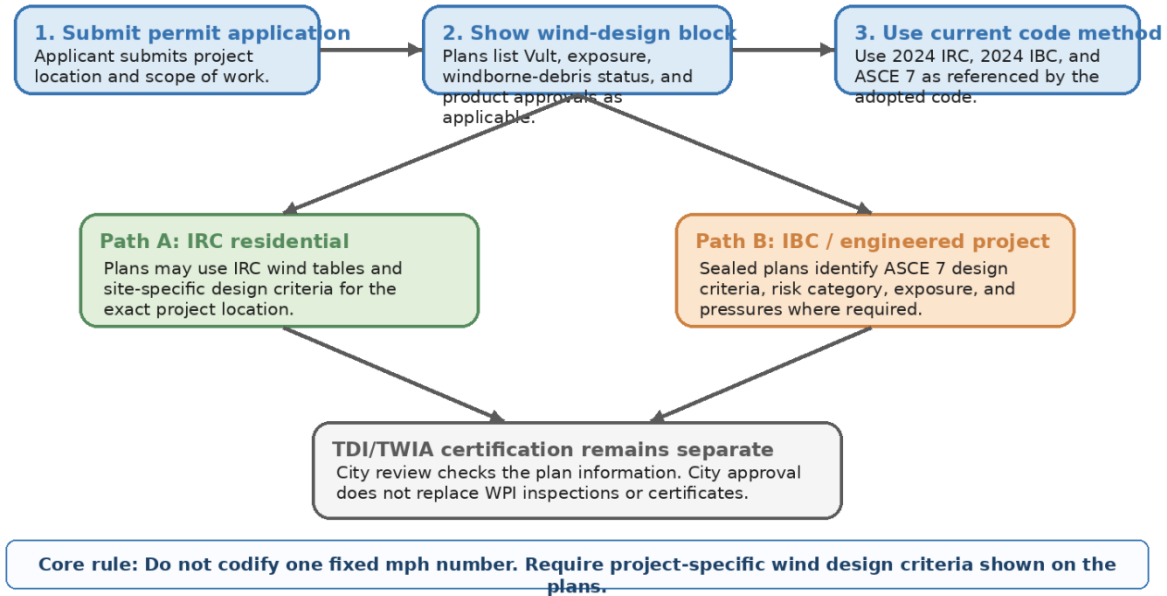


Illustration: Plan review checks wind design criteria; TDI/TWIA certification remains a separate process when required.

Applicant situation	What must be submitted
Residential project under the IRC	Plans must show the 2024 IRC wind design criteria for the exact project location.
Commercial or engineered project under the IBC	Plans must show 2024 IBC / ASCE 7 wind design criteria and be sealed where required.
Applicant uses the ASCE 7 Hazard Tool	Submit the report or output for the project address or coordinates when requested or used as documentation.
Applicant uses a design professional	The Texas licensed design professional must list the wind design criteria on the plans and seal the design where required.
TDI/TWIA windstorm certification applies	Applicant must still follow the TDI windstorm inspection process; City permit approval does not replace WPI certification.

3. Required Wind Design Information on Plans

Plans should include a wind-design block with the following information when wind design applies to the work:

Wind Design Information to Show on Plans

☒ Project address or coordinates

☒ Windborne-debris region determination

☒ Code basis: 2024 IRC or 2024 IBC

☒ Opening protection requirements

☒ ASCE 7 edition used when applicable

☒ Component and cladding pressures where applicable

☒ Basic design wind speed, Vult

☒ Product approvals / evaluation reports

☒ Risk category, where applicable

☒ TDI / TWIA / WPI inspection path where applicable

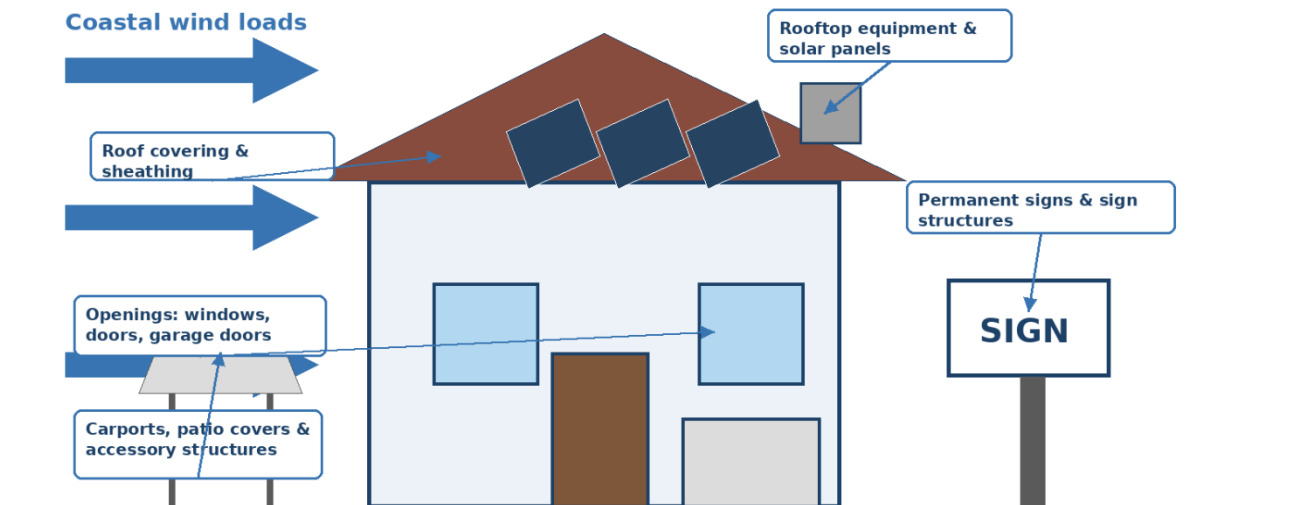
☒ Exposure category

☒ Design professional seal where required

Intake rule: plans are incomplete when wind design applies but the required wind design information is missing or inconsistent.

4. What This Change Affects

What Wind Design Affects



Wind design applies to the structure and exterior components, not only the main building frame.

Affected work	What changes
New homes	Plans must show project-specific wind design criteria rather than relying on a generic wind-speed note.
New commercial buildings	Sealed plans must identify the correct 2024 IBC / ASCE 7 wind criteria.
Additions and remodels	Wind design information is required when structural work, roof work, openings, exterior walls, or attachments are affected.
Roof replacements	Roof covering, decking, fastening, and product approvals must match applicable code and windstorm requirements.

Windows, doors, and garage doors	Product approvals and windborne-debris protection must match the project wind design criteria.
Signs, carports, sheds, canopies, solar panels, and rooftop equipment	These must be anchored and designed for applicable wind loads.
Permit applications and handouts	Fixed wind-speed references should be removed and replaced with a wind-design checklist.

5. TDI / Windstorm Inspection Clarification

Determining wind speed for plans and completing the TDI windstorm inspection process are not the same thing. A certified windstorm inspector is not required just to look up the wind speed. The applicant, contractor, or design professional may use the ASCE 7 Hazard Tool or another approved code-compliant method to determine the wind speed for plan submittal. However, when windstorm certification is required, the applicant must still follow the TDI inspection process.

Plain-language rule: The City checks that plans identify and use the correct wind design criteria. TDI/TWIA windstorm certification is separate and is not waived by City permit approval.

6. Recommended Ordinance and Administrative Changes

Action	Recommended change
Amend Chapter 14 construction-code amendments	Remove fixed wind-speed minimums and replace them with project-specific code language based on the currently adopted IBC, IRC, ASCE 7, and applicable TDI/TWIA requirements.
Update building permit application	Replace 145 mph / Exposure C language with a wind-design data section requiring Vult, exposure, risk category when applicable, windborne-debris determination, pressures where applicable, product approvals, and WPI/TDI path where applicable.
Update public FAQ and handouts	State that wind design is project-specific and that applicants may use the ASCE 7 Hazard Tool or other approved code-compliant documentation.
Update sign, accessory-structure, and exterior-equipment rules	Add a cross-reference requiring signs, accessory structures, carports, rooftop equipment, solar panels, roof coverings, windows, doors, garage doors, and similar components to meet adopted-code wind loads.
Update plan-review checklist	Create a simple completeness check so staff can quickly identify missing wind-design information at intake.

7. Recommended Ordinance Concept Language

All structures and exterior components regulated by the adopted construction codes shall be designed and constructed using the wind design criteria required by the currently adopted International Building Code, International Residential Code, ASCE 7 as referenced by the adopted code, and applicable Texas Department of Insurance and Texas Windstorm Insurance Association requirements. The required wind design criteria shall be determined for the specific project location and shown on the submitted plans. The Building Official may require ASCE 7 Hazard Tool documentation, product approvals, component and cladding pressures, or design professional certification where necessary to verify compliance.

8. Permit Intake Checklist

Intake question	Required answer
Is wind design applicable to the work?	Yes / No
Does the plan list Vult wind speed?	Required if applicable
Does the plan list exposure category?	Required if applicable
Does the plan list risk category?	Required when applicable
Does the plan list windborne-debris status?	Required if applicable
Are product approvals included for exterior components?	Required where applicable
Is TDI/WPI certification required or requested?	Applicant must identify path
Are sealed plans required?	Required when code or state law requires design professional involvement

9. Staff Recommendation

Staff recommends removing fixed wind-speed numbers from La Marque's ordinance, permit application, public FAQ, and plan-review handouts, and replacing them with a project-specific wind design standard based on the 2024 IRC, 2024 IBC, ASCE 7 as referenced by the adopted code, and applicable TDI/TWIA windstorm requirements. This approach is clearer, more defensible, less confusing for applicants, and better aligned with current state windstorm requirements.

Sources

- [Texas Department of Insurance - Adopted Building Codes](https://www.tdi.texas.gov/wind/adopted-codes.html) - <https://www.tdi.texas.gov/wind/adopted-codes.html>
- [Texas Department of Insurance - Windstorm Inspection Process](https://www.tdi.texas.gov/wind/inspectionproc.html) - <https://www.tdi.texas.gov/wind/inspectionproc.html>
- [City of La Marque - Code Enforcement Resources / adopted codes](https://www.cityoflamarque.gov/477/Code-Enforcement-Resources) - <https://www.cityoflamarque.gov/477/Code-Enforcement-Resources>
- [City of La Marque - Building Permit Application 2025](https://www.cityoflamarque.gov/DocumentCenter/View/6526/Building-Permit-Application-2025) - <https://www.cityoflamarque.gov/DocumentCenter/View/6526/Building-Permit-Application-2025>
- [City of La Marque - Ordinance O-2020-0020 local construction-code amendments](https://www.cityoflamarque.gov/DocumentCenter/View/4006) - <https://www.cityoflamarque.gov/DocumentCenter/View/4006>