



**HORIZON CITY**

**Incorporated 1988**

**AGENDA  
PUBLIC MEETING  
REGULAR CITY COUNCIL MEETING  
THE TOWN OF HORIZON CITY, TEXAS  
Tuesday, February 13, 2024, 6:00 PM**

Notice is hereby given that a Regular City Council Meeting of the Town of Horizon City, Texas will be held on **Tuesday, February 13, 2024 at 6:00 PM** at City Council Chambers Room, 15001 Darrington Road, Horizon City, TX 79928, at which time the following will be discussed and considered:

**Meeting Recording:**

2-13-24 City Council Meeting Recording

**Recording password:** Horizon123

1. **Call to order; Pledge of Allegiance; Establishment of Quorum**
2. **Open Forum:**

**CONSENT AGENDA**

*All matters listed under the CONSENT AGENDA are considered routine and will be enacted in one motion. There will be no separate discussion of these items unless a member(s) of the City Council requests one or more items be removed from the CONSENT AGENDA to the REGULAR AGENDA for separate discussion and action prior to the City Council's vote to adopt the CONSENT AGENDA.*

3. **Approval of Minutes from:** **5**  
Mayor/City Clerk  
1/16/24 Regular City Council Meeting.
4. **Discussion and Action:**  
Mayor/Chief Planner  
On the appointment of Jesus Ramos to the Board of Adjustment as a Regular Member.
5. **Discussion and Action:**  
Mayor/Chief Planner  
On the reappointment of John Laemlein to the Board of Adjustment as an Alternate Member.
6. **Discussion and Action:** **9**  
Mayor/Public Works Director  
On the approval of the Town of Horizon City's Phase II MS4 Annual Report for the 2023 calendar year and authorize the Mayor to sign the report and transmittal letter, all to be submitted to the Texas Commission on Environmental Quality.
7. **Request to Excuse Absent Council Members:**
8. **Approval of Consent Agenda Items:**  
**REGULAR AGENDA**
9. **Discussion and Action:** **33**  
Mayor/CIP Manager  
On an update on the Capital Improvement Program.
10. **Discussion and Action:** **49**  
Mayor/CIP Manager  
Update on the ARPA Program.
11. **Discussion and Action:** **63**  
Mayor/CIP Manager

Regarding a Resolution to authorize the expenditure of ARPA Funds: \$60,000.00 to reimburse Texas Gas Service for facilities relocation and \$90,000.00 for Transit Plaza siting.

**12. Discussion and Action:**

Mayor/Chief Vargas

On the presentation and acceptance of the Police Department annual racial profiling report.

**13. Discussion and Action:**

Mayor/Chief Vargas

On the Presentation of the 2023 Police Department Annual Report.

**14. Discussion and Action:**

Mayor/Chief Vargas

On the Presentation of Assist. Chief Manuel Rico retirement plaque.

**15. Discussion and Action:**

65

Mayor/Asst. City Atty

Regarding approval of a Resolution to ratify the action taken by the Mayor to sign a Polling Place Agreement with El Paso County and designating Elvia Schuller, City Clerk, the City's representative for matters relating to the Agreement.

**16. Discussion and Action:**

84

Mayor/Chief Planner

On a **Specific Use Permit** application (**Case No. ZSP24-0001**) for Retail use on a property located at 3150 Darrington Rd., legally described as A Portion of Lot 3, Block 2, Horizon Industrial Park Subdivision, Town of Horizon City, El Paso County, Texas. Containing 1-acre +/- Application submitted by Jerry Nava.

**17. This item was postponed at the 1/16/24 City Council Meeting.**

**PUBLIC HEARING:**

Mayor/Chief Planner

**2nd Reading of Ordinance No. \_\_\_\_\_**, An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, El Paso County, Texas; rezoning one parcel from C-1 (General Commercial) to C-2 (Heavy Commercial); containing approximately 6.634 acres; Being Lot 1, Block 3, Kenazo Estates Unit Two, Town of Horizon City, El Paso County, Texas; South of Eastlake Blvd. and East of Kenazo Dr., and authorizing the notation of the change on the official zoning map of the town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

**18. Discussion and Action:**

95

Mayor/Chief Planner

**2nd Reading of Ordinance No. \_\_\_\_\_**, An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, El Paso County, Texas; rezoning one parcel from C-1 (General Commercial) to C-2 (Heavy Commercial); containing approximately 6.634 acres; Being Lot 1, Block 3, Kenazo Estates Unit Two, Town of Horizon City, El Paso County, Texas; South of Eastlake Blvd. and East of Kenazo Dr., and authorizing the notation of the change on the official zoning map of the town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

**19. Discussion:**

121

Mayor/Building Official

**1st Reading of Ordinance No. \_\_\_\_\_**, an Ordinance of the Town of Horizon City, Texas, amending the fuel gas code by adopting and authorizing the Mayor to execute and adopt the amended fuel gas code; and providing for following: findings of fact, repealer, severability, effective date, proper notice, and hearing.

**20. Discussion:**

129

Mayor/Building Official

**1st Reading of Ordinance No. \_\_\_\_\_**, an Ordinance of the Town of Horizon City, Texas, amending the residential building code by adopting and authorizing the Mayor to execute and adopt the amended residential building code; and providing for the following: findings of fact, repealer, severability, effective date, proper notice, and hearing.

**21. Discussion:**

137

Mayor/Building Official

**1st Reading of Ordinance No. \_\_\_\_\_**, an Ordinance of the Town of Horizon City, Texas, amending the building code by adopting and authorizing the Mayor to execute and adopt the amended building code; and providing for following: findings of fact, repealer, severability, effective date, proper notice, and hearing.

**22. Discussion:** **145**

Mayor/Building Official

**1st Reading of Ordinance No. \_\_\_\_\_**, an Ordinance of the Town of Horizon City, Texas, amending the energy conservation code by adopting and authorizing the Mayor to execute and adopt the amended energy conservation code; and providing for the following: findings of fact, repealer, severability, effective date, proper notice, and hearing.

**23. Discussion:** **153**

Mayor/Building Official

**1st Reading of Ordinance No. \_\_\_\_\_**, an Ordinance of the Town of Horizon City, Texas, adopting the fire code by adopting and authorizing the Mayor to execute and adopt the fire code; and providing for the following: findings of fact, repealer, severability, effective date, proper notice, and hearing; creating a misdemeanor punishable by a fine not to exceed \$2,000.

**24. Discussion:** **161**

Mayor/Building Official

**1st Reading of Ordinance No. \_\_\_\_\_**, Ordinance of the Town of Horizon City, Texas, amending the mechanical code by adopting and authorizing the Mayor to execute and adopt the amended mechanical code; and providing for the following: findings of fact, repealer, severability, effective date, proper notice, and hearing.

**25. Discussion:** **169**

Mayor/Building Official

**1st Reading of Ordinance No. \_\_\_\_\_**, an Ordinance of the Town of Horizon City, Texas, amending the plumbing code by adopting and authorizing the Mayor to execute and adopt the amended plumbing code; and providing for the following: findings of fact, repealer, severability, effective date, proper notice, and hearing.

**26. Discussion:** **177**

Mayor/Building Official

**1st Reading of Ordinance No. \_\_\_\_\_**, an Ordinance of the Town of Horizon City, Texas, amending the electric code by adopting and authorizing the Mayor to execute and adopt the amended electric code; and providing for the following: findings of fact, repealer, severability, effective date, proper notice, and hearing.

**27. Discussion:** **185**

Mayor/Building Official

**1st Reading of Ordinance No. \_\_\_\_\_**, an Ordinance of the Town of Horizon City, Texas, adopting an existing building code by adopting and authorizing the Mayor to execute and adopt the international existing building code; and providing for the following: findings of fact, repealer, severability, effective date, proper notice, and hearing; creating a misdemeanor punishable by a fine not to exceed \$2,000.

**28. Discussion and Action:**

Mayor/City Clerk

On a proposal to consider the closure of City Hall and Courts Administrative offices on December 26, 27 & 30 2024.

**29. Executive Session**

The City Council of the Town of Horizon City reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development).

A. .

Real Estate acquisitions for TIRZ #1 program of work.

Adjournment:

Motion to Adjournment: \_\_\_\_\_ 2nd \_\_\_\_\_

Dated this Friday, 2/9/24

By: \_\_\_\_\_  
Elvia Schuller, City Clerk

I, the undersigned authority, hereby certify that the above notice of the Regular City Council Meeting of the Town of Horizon City, Texas is a correct copy of this notice, and that I posted this notice at least seventy-two (72) hours preceding the scheduled meeting at the City Hall Bulletin Boards of the Town of Horizon City, Texas on this Friday, 2/9/24 by 5:00 p.m.

Agenda Removed: \_\_\_\_\_ Time \_\_\_\_\_ By \_\_\_\_\_

In compliance with the Americans with Disabilities Act, the Town of Horizon City will provide for reasonable accommodations for persons attending meetings. Requests for auxiliary aids and services must be made 48 hours prior to this meeting by calling the City Clerk at (915) 852-1046.

**MINUTES  
AGENDA  
PUBLIC MEETING  
REGULAR CITY COUNCIL MEETING  
THE TOWN OF HORIZON CITY, TEXAS  
Tuesday, January 16, 2024, 6:00 PM**

Notice is hereby given that a Regular City Council Meeting of the Town of Horizon City, Texas was held on **Tuesday, January 16, 2024 at 6:00 PM**, at City Council Chambers Room, 15001 Darrington Road, Horizon City, TX 79928, at which time the following was discussed and considered:

**1. Call to order; Pledge of Allegiance; Establishment of Quorum**

Meeting called to order at 6:00 pm. All City Council Members Present. Quorum Established.

**2. Open Forum:**

No one signed up to speak.

**CONSENT AGENDA**

*All matters listed under the CONSENT AGENDA are considered routine and will be enacted in one motion. There will be no separate discussion of these items unless a member(s) of the City Council requests one or more items be removed from the CONSENT AGENDA to the REGULAR AGENDA for separate discussion and action prior to the City Council's vote to adopt the CONSENT AGENDA.*

**3. Approval of Minutes from:**

12/12/23 Regular City Council Meeting.

**4. Discussion and Action:**

Mayor/Chief Planner

On the reappointment of Crispin Melendez by the Mayor to the Planning and Zoning Commission.

**5. Discussion and Action:**

Mayor/Chief Planner

On the reappointment of Sean Jolley by the Mayor to the Planning and Zoning Commission.

**6. Discussion and Action:**

Mayor/Chief Planner

On the reappointment of Robert Avila by Alderman Padilla (Place 6) to the Planning and Zoning Commission.

**7. Discussion and Action:**

Mayor/EDC Executive Director

On the appointment of Taniesha Chalmers to the Horizon City Economic Development Corporation Board of Directors.

**8. Discussion and Action:**

Mayor/Planning Director

On a Resolution to correct clerical error in the interlocal agreement with El Paso Area Transportation Services LGC to increase the City's contribution from \$87,000.00 to \$87,800.00 and authorize the Mayor to sign correction documents.

**9. Request to Excuse Absent Council Members:**

**10. Approval of Consent Agenda Items:**

A motion was made by Councilman Padilla and seconded by Councilman Miller to approve the consent agenda. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

**REGULAR AGENDA**

**11. Discussion and Action:**

Mayor/CIP Manager

On an update on the Capital Improvement Program.

CIP Manager spoke regarding this item.

A motion was made by Councilman Padilla and seconded by Councilman Mendoza to accept the report as presented. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

*Items 12 and 13 were taken together*

**12. Discussion and Action:**

Mayor/Planning Director

To approve a Resolution to authorize the Mayor to sign a non-binding memorandum of understanding (MOU) with the City of El Paso to participate in the Leadership Steering Committee relating to the Environmental Protection Agency's (EPA) Climate Pollution Reduction Grant (CPRG) program.

**13. Discussion and Action:**

Mayor/Planning Director

Authorizing the Mayor to sign the Interlocal Agreement between the Town of Horizon City and the City of El Paso Office of Climate and Sustainability for Assistance and Cooperation in the Leadership Steering Committee for the Regional Climate Initiative; and that Michelle Garcia, the Town of Horizon City Planning Director, or her Designee be designated the Town of Horizon City's representative on the Leadership Steering Committee.

Planning Director, Michelle Padilla spoke regarding item 12 and 13.

A motion was made by Councilman Miller and seconded by Councilman Padilla to approve the Resolution authorizing the Mayor to sign a non-binding memorandum of understanding (MOU) with the City of El Paso to participate in the Leadership Steering Committee relating to the Environmental Protection Agency's (EPA) Climate Pollution Reduction Grant (CPRG) program and approve authorizing the Mayor to sign the Interlocal Agreement between the Town of Horizon City and the City of El Paso Office of Climate and Sustainability for Assistance and Cooperation in the Leadership Steering Committee for the Regional Climate Initiative; and that Michelle Garcia, the Town of Horizon City Planning Director, or her Designee be designated the Town of Horizon City's representative on the Leadership Steering Committee. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Nay. Motion passed.

**14. Discussion and Action:**

Mayor/Chief Planner

On the **Final** Subdivision Plat application for **Rancho Desierto Bello Unit 14 (Case No. SDF23-0002)**, legally described as a Portion of Leigh Clark Survey No. 297, Town of Horizon City, El Paso County, Texas. Containing 18.708 ± acres. Application submitted by TRE & Associates, LLC.

Chief Planner, Art Rubio spoke regarding this item.

A motion was made by Councilman Padilla and seconded by Councilman Mendoza to approve the the **Final** Subdivision Plat application for **Rancho Desierto Bello Unit 14 (Case No. SDF23-0002)**, legally described as a Portion of Leigh Clark Survey No. 297, Town of Horizon City, El Paso County, Texas. Containing 18.708 ± acres. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

**Items # 15 and 16 were taken together.**

**15. PUBLIC HEARING:**

Mayor/Chief Planner

**2nd Reading of Ordinance No. \_\_\_\_\_**, An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, El Paso County, Texas; rezoning one parcel from C-1 (General Commercial) to C-2 (Heavy Commercial); containing approximately 6.634 acres; Being Lot 1, Block 3, Kenazo Estates Unit Two, Town of Horizon City, El Paso County, Texas; South of Eastlake Blvd. and East of Kenazo Dr., and authorizing the notation of the change on the official zoning map of the town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

**16. Discussion and Action:**

Mayor/Chief Planner

**2nd Reading of Ordinance No. \_\_\_\_\_**, An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, El Paso County, Texas; rezoning one parcel from C-1 (General Commercial) to C-2 (Heavy Commercial); containing approximately 6.634 acres; Being Lot 1, Block 3, Kenazo Estates Unit Two, Town of Horizon City, El Paso County, Texas; South of Eastlake Blvd. and East of Kenazo Dr., and authorizing the notation of the change on the official zoning map of the town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

Planning Director, Michelle Garcia requested Items # 15 and 16 be postponed until the February 13, 2024 Regular City Council Meeting.

A motion was made by Councilman Padilla and seconded by Councilman Mendoza to postpone Items #15 and 16 as requested by staff. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

**17. Discussion and Action:**

Mayor/CIP Manager

That the Mayor be authorized to sign an Interlocal Local/Project Development Agreement with the Camino Real Regional Mobility Authority for development of the Transit Center Project, described in said Agreement.

CIP Manager, Terry Quezada spoke regarding this item.

A motion was made by Councilman Mendoza and seconded by Councilman Miller to authorize the Mayor to sign an Interlocal Local/Project Development Agreement with the Camino Real Regional Mobility Authority for development of the Transit Center Project, described in said Agreement. . The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

**18. Discussion and Action:**

Mayor/CIP Manager

Regarding a Resolution accepting the real estate acquired by the Camino Real Regional Mobility Authority on behalf of the Town of Horizon City for the N. Darrington Road Reconstruction Project.

CIP Manager, Terry Quezada spoke regarding this item.

A motion was made by Councilman Mendoza and seconded by Councilman Miller to approve the Resolution accepting the real estate acquired by the Camino Real Regional Mobility Authority on behalf of the Town of Horizon City for the N. Darrington Road Reconstruction Project. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

**19. Discussion and Action:**

Mayor/EDC Executive Director

On a Resolution authorizing the Executive Director of the Horizon Economic Development Corporation to sign a Website Services Agreement between the Town of Horizon City Type 4B Economic Development Corporation and Bright Sol Tech for the term of two years commencing on the effective date of the Agreement.

EDC Business Development Manager, Rafa Arellano spoke regarding this item.

A motion was made by Councilman Padilla and seconded by Councilman Mendoza to approve the Resolution authorizing the Executive Director of the Horizon Economic Development Corporation to sign a Website Services Agreement between the Town of Horizon City Type 4B Economic Development Corporation and Bright Sol Tech for the term of two years commencing on the effective date of the Agreement. The CITY CLERK polled the Council: MILLER – Aye; QUIROZ – Aye; ORTEGA – Aye; RANDLEEL – Aye; URRUTIA – Aye; PADILLA – Aye; MENDOZA – Aye. Motion passed.

**20. Executive Session**

The City Council of the Town of Horizon City reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development).

**ADJOURNMENT**

A motion was made by Councilman Miller and seconded by Councilman Mendoza to adjourn at 6:50PM.

Approved this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Attest:**

\_\_\_\_\_  
Elvia Schuller, City Clerk

\_\_\_\_\_  
Andres Renteria, Mayor



HORIZON CITY

Incorporated 1988

## Public Works Department

February 13, 2024

Texas Commission on Environmental Quality  
Stormwater & Pretreatment Team Leader (MC-148)  
P.O. Box 13087  
Austin, Texas 78711-3087

Re: Phase II MS4 Annual Report Transmittal for Town of Horizon City  
TPDES Authorization: TXR040057

Dear Team Leader:

This letter serves to transmit the required annual report for the Texas Pollutant Discharge Elimination System Small Municipal Separate Storm Sewer System General Permit, Authorization Number TXR040057 for the Town of Horizon City.

The annual report is for Year 4. The reporting period's beginning 01/01/2023 and ending 12/31/2023.

A separate Notice of Change has not been submitted based on the fact that changes have not been proposed for the next permit year.

As required by the general permit, a copy of the report has been mailed to the TCEQ's regional office 6 in El Paso, Texas.

Sincerely,

Andres Renteria, Mayor  
Town of Horizon City  
Horizon City, Texas 79928

c: Section Manager, Air/Waste/Water  
TCEQ Region 6 Office  
401 E. Franklin Ave., Suite 560  
El Paso, TX 79901



**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** February 13, 2024

**To:** Honorable Mayor and Members of City Council

**From:** Albert Valle, Public Works Director

**SUBJECT:** That the City Council approve the Town of Horizon City's Phase II MS4 Annual Report for the 2023 calendar year and authorize the Mayor to sign the report and transmittal letter, all to be submitted to the Texas Commission on Environmental Quality.

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The attached report is proposed to be submitted to the Texas Commission on Environmental Quality (TCEQ) in order to satisfy the annual reporting requirements, set by the Commission for those entities operating a municipal separate storm sewer system (MS4) management program.

The City's MS4 program was submitted in June of 2019 and is pending approval from TCEQ for the renewal of the next 5-year permit. The attached report describes the activities performed in the fifth year (2023 calendar year) of the pending permit.

After coordinating with TCEQ regarding the pending status of the submitted MS4, staff has determined that the report should be submitted, upon approval from City Council, in an effort to maintain compliance with the Commission's reporting requirements.

Staff recommends that the City Council accept the annual report as submitted and authorize the Mayor to sign the required documents that are to be submitted to TCEQ.

# Phase II (Small) MS4 Annual Report Form

TPDES General Permit Number TXR040000

## A. General Information

Authorization Number: TXR0400057

Reporting Year (year will be either 1, 2, 3, 4, or 5): 5

Annual Reporting Year Option Selected by MS4:

Calendar Year: 2023

Permit Year: 5

Fiscal Year: 2022-2023 Last day of fiscal year: ( 09/30/2023 )

Reporting period beginning date: (month/date/year) 01/01/2023

Reporting period end date: (month/date/year) 12/31/2023

MS4 Operator Level: II Name of MS4: Town of Horizon City

Contact Name: Albert Valle, CFM Telephone Number: 915-852-1046

Mailing Address: 14999 Darrington Road, Horizon City, TX 79928

E-mail Address: avalle@horizoncity.org

A copy of the annual report was submitted to the TCEQ Region: YES  NO

Region the annual report was submitted to: TCEQ Region 6

## B. Status of Compliance with the MS4 GP and SWMP

1. Provide information on the status of complying with permit conditions:  
(TXR040000 Part IV.B.2)

	Yes	No	Explain
Permittee is currently in compliance with the SWMP as submitted to and approved by the TCEQ.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Yes, Horizon City is currently in compliance with the SWMP as documentation has been submitted and received by TCEQ.

Permittee is currently in compliance with recordkeeping and reporting requirements.	✓		Yes, recordkeeping and reporting requirements ensures the Town is compliant with TCEQ standards. Documentation has been submitted in the past and will continue to be submitted upon request by TCEQ.
Permittee meets the eligibility requirements of the permit (e.g., TMDL requirements, Edwards Aquifer limitations, compliance history, etc.).	✓		Yes, without this requirement, Horizon City would not be able to implement effective pollution prevention control measures.
Permittee conducted an annual review of its SWMP in conjunction with preparation of the annual report	✓		Yes, Horizon City conducted an annual review of its SWMP in conjunction with preparation of the annual report. This allows for compliance and efficiency to both entities.

2. Provide a general assessment of the appropriateness of the selected BMPs. You may use the table below to meet this requirement (**see Example 1 in instructions**):

MCM(s)	BMP	BMP is appropriate for reducing the discharge of pollutants in stormwater (Answer Yes or No and explain)
<i>Please see attachment.</i>		

3. Describe progress towards achieving the goal of reducing the discharge of pollutants to the MEP. If no progress was made or the BMP did not result in a reduction in pollutants, provide an explanation. Use the table below to meet this requirement (**see Example 2 in instructions**):

MCM	BMP	Information Used	Quantity	Units	Does the BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No and explain)
<i>Please see attachment.</i>					

4. Provide the measurable goals for each of the MCMs, and an evaluation of the success of the implementation of the measurable goals (**see Example 3 in instructions**):

MCM(s)	Measurable Goal(s)	Explain progress toward goal or how goal was achieved. If goal was not accomplished, please explain.
<i>Please see attachment.</i>		

## **C. Stormwater Data Summary**

Provide a summary of all information used, including any lab results (if sampling was conducted) to assess the success of the SWMP at reducing the discharge of pollutants to the MEP. For example, did the MS4 conduct visual inspections, clean the inlets, look for illicit discharge, clean streets, look for flow during dry weather, etc.?

The Public Works Crew performs daily visual inspections of city streets to ensure their cleanliness. During the 2023 calendar year, no illicit discharges were identified.

Each identified outfall was visually inspected once during the 2023 calendar year and during dry and wet weather. No illicit discharges were identified.

The Public Works maintenance crew and the compliance inspector also conducted regular inspections of retention ponds to ensure that proper cleaning and maintenance is conducted by the maintenance contractor.

## **D. Impaired Waterbodies**

Identify whether an impaired water within the permitted area was added to the latest EPA-approved 303(d) list or the Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d). List any newly-identified impaired waters below by including the name of the water body and the cause of impairment.

*No*

1. If applicable, explain below any activities taken to address the discharge to impaired waterbodies, including any sampling results and a summary of the small MS4's BMPs used to address the pollutant of concern.

*Not Applicable*

2. Describe the implementation of targeted controls if the small MS4 discharges to an impaired water body with an approved TMDL.

*Not Applicable*

3. Report the benchmark identified by the MS4 and assessment activities:

<b>Benchmark Parameter</b> <i>(Ex: Total Suspended Solids)</i>	<b>Benchmark Value</b>	<b>Description of additional sampling or other assessment activities</b>	<b>Year(s) conducted</b>
<i>Not Applicable.</i>			

4. Provide an analysis of how the selected BMPs will be effective in contributing to achieving the benchmark:

<b>Benchmark Parameter</b>	<b>Selected BMP</b>	<b>Contribution to achieving Benchmark</b>
<i>Not Applicable.</i>		

6. If applicable, report on focused BMPs to address impairment for bacteria:

<b>Description of bacteria-focused BMP</b>	<b>Comments/Discussion</b>
<i>Not Applicable</i>	

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7. Assess the progress to determine BMP’s effectiveness in achieving the benchmark.

For example, the MS4 may use the following benchmark indicators:

- number of sources identified or eliminated;
- number of illegal dumpings;
- increase in illegal dumping reported;
- number of educational opportunities conducted;
- reductions in sanitary sewer flows (SSOs); /or
- increase in illegal discharge detection through dry screening.

Benchmark Indicator	Description/Comments
<i>Not Applicable</i>	

**E. Stormwater Activities**

Describe activities planned for the next reporting year:

MCM(s)	BMP	Stormwater Activity	Description/Comments
<i>Please see attachment.</i>			

**F. SWMP Modifications**

1. The SWMP and MCM implementation procedures are reviewed each year.

Yes \_\_\_ No

2. Changes have been made or are proposed to the SWMP since the NOI or the last annual report, including changes in response to TCEQ’s review.

\_\_\_ Yes  No

If “Yes,” report on changes made to measurable goals and BMPs:

MCM(s)	Measurable Goal(s) or BMP(s)	Implemented or Proposed Changes (Submit NOC as needed)
<i>Not Applicable</i>		


**Note:** If changes include additions or substitutions of BMPs, include a written analysis explaining why the original BMP is ineffective or not feasible, and why the replacement BMP is expected to achieve the goals of the original BMP.

3. Explain additional changes or proposed changes not previously mentioned (i.e. dates, contacts, procedures, annexation of land, etc.).

*Not Applicable*

### G. Additional BMPs for TMDLs and I-Plans

Provide a description and schedule for implementation of additional BMPs that may be necessary, based on monitoring results, to ensure compliance with applicable TMDLs and implementation plans.

<b>BMP</b>	<b>Description</b>	<b>Implementation Schedule (start date, etc.)</b>	<b>Status/Completion Date (completed, in progress, not started)</b>
<i>Not Applicable</i>			

## H. Additional Information

1. Is the permittee relying on another entity to satisfy any permit obligations?

Yes  No

If "Yes," provide the name(s) of other entities and an explanation of their responsibilities (add more spaces or pages if needed).

Name and Explanation:

*Not Applicable*

2.a. Is the permittee part of a group sharing a SWMP with other entities?

Yes  No

2.b. If "yes," is this a system-wide annual report including information for all permittees?

Yes  No

If "Yes," list all associated authorization numbers, permittee names, and SWMP responsibilities of each member (add additional spaces or pages if needed):

Authorization Number: \_\_\_\_\_ Permittee: \_\_\_\_\_

## I. Construction Activities

1. The number of construction activities that occurred in the jurisdictional area of the MS4 (Large and Small Site Notices submitted by construction site operators):

\_\_\_\_\_ 11 \_\_\_\_\_

2a. Does the permittee utilize the optional seventh MCM related to construction?

Yes  No

2b. If "yes," then provide the following information for this permit year:

<b>The number of municipal construction activities authorized under this general permit</b>	
The total number of acres disturbed for municipal construction projects	<i>Not applicable</i>

**Note:** *Though the seventh MCM is optional, implementation must be requested on the NOI or on a NOC and approved by the TCEQ.*

## J. Certification

If this is this a system-wide annual report including information for all permittees, each permittee shall sign and certify the annual report in accordance with 30 TAC §305.128 (relating to Signatories to Reports).

*I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.*

Name (printed): Andres Renteria Title: Mayor

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of MS4 Town of Horizon City

**If you have questions on how to fill out this form or about the Stormwater Permitting program, please contact us at 512-239-4671.**

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512-239-3282.

**Attachment for Section B, No. 2:**

**BMP Status**

<b>MCM(s)</b>	<b>BMP</b>	<b>BMP is appropriate for reducing the discharge of pollutants in stormwater (Answer Yes or No, and explain.)</b>
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-1:</b> Educational materials and distribution	Yes, without teaching the public how to detect these activities, reporting cannot take place. The public is responsible for reporting illegal dumping and illicit discharges.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-2:</b> Articles in the <i>West Texas County Courier</i>	Yes, the <i>West Texas County Courier</i> reaches people that do not typically visit civic buildings or have children that are school age. The public is responsible for reporting illegal dumping and illicit discharges. Without teaching the public how to detect these activities, reporting cannot take place.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-3:</b> Horizon City website	Yes, this allows the public to be involved in Horizon City's Stormwater Management Program (SWMP). A copy of the SWMP is available on the town's website along other stormwater educational information.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-4:</b> Annual event or festival	Yes, the public is responsible for reporting illegal dumping and illicit discharges. Without teaching the public how to detect these activities, reporting cannot take place. Events allow a broad range of people to be educated, informed and provides awareness.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-5:</b> Public notice for meetings	Yes, as this allows the public to be educated and involved in the SWMP.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-6:</b> Stormwater reporting telephone number	Yes, reductions in illegal dumping can reduce pollutants entering the stormwater system. The public is responsible for reporting potential stormwater issues, including illegal dumping.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-7:</b> Annual public cleanup event	Yes, the public is responsible for reporting illegal dumping and illicit discharges. Without teaching the public how to detect these activities, reporting cannot take place. Events allow a broad range of people to be educated and informed. Horizon City did not host a cleanup event in 2023. However, staff assisted in an Anti-Litter Campaign cleanup event held by constituents. City disposed of trash cleaned by constituents.

<p>Illicit Discharge <b>2:</b> Detection and Elimination</p>	<p>Ordinance <b>2-1:</b> prohibiting illicit discharges</p>	<p>Yes, after daily inspections pollutants entering the storm water system were diminished.</p>
<p>Illicit Discharge <b>2:</b> Detection and Elimination</p>	<p><b>2-2:</b> MS4 mapping</p>	<p>Yes, Updating the MS4 map allows for inspectors and code enforcement staff to inspect the correct areas.</p>
<p>Illicit Discharge <b>2:</b> Detection and Elimination</p>	<p><b>2-3:</b> Staff training</p>	<p>Yes, training sessions on preventing illicit discharge, how to detect and eliminate such discharges allow a broad range of people to be educated, informed and brings awareness. Staff will continue to receive Stormwater, Floodplain Management and OSHA safety trainings.</p>
<p>Illicit Discharge <b>2:</b> Detection and Elimination</p>	<p><b>2-4:</b> System inspections</p>	<p>Yes, inspecting outfalls allows civic employees to detect illicit discharges in a timely manner. Inspections were performed and no signs of illicit discharges were reported.</p>
<p>Illicit Discharge <b>2:</b> Detection and Elimination</p>	<p><b>2-5:</b> Public reporting of illicit discharges</p>	<p>Yes, a telephone number for the reporting of potential illicit discharges was established for public use and the number was advertised. Without the phone number the public would not know how to quickly report potential issues. No calls were received during the past permit year.</p>
<p>Illicit Discharge <b>2:</b> Detection and Elimination</p>	<p><b>2-6:</b> On-site sewage disposal system</p>	<p>No activities were scheduled for the past permit year.</p>

<p>Construction <b>3:</b> Site Stormwater Runoff Control</p>	<p>Ordinance requiring <b>3-1:</b> construction site controls</p>	<p>Yes, Horizon City would not be able to review construction SWP3s without this requirement. This would allow the potential for ineffective construction pollution prevention controls.</p>
<p>Construction <b>3:</b> Site Stormwater Runoff Control</p>	<p><b>3-2:</b> Plan review</p>	<p>Yes, proper SWP3s plan review ensures that contractors are aware of requirements and compliant. This decreases the potential for sediment loading into the stormwater system. Reviews include Residential Subdivisions/Commercial plans.</p>
<p>Construction <b>3:</b> Site Stormwater Runoff Control</p>	<p><b>3-3:</b> Construction site inspections</p>	<p>Yes, SWP3 inspections of construction sites for compliance potentially decrease sediment loading into the stormwater system by ensuring that engineering controls and BMPs are working properly.</p>
<p>Construction <b>3:</b> Site Stormwater Runoff Control</p>	<p>Public reporting of <b>3-4:</b> construction discharges</p>	<p>Yes, illicit discharge indicators materials allow the public to be involved.</p>
<p>Construction <b>3:</b> Site Stormwater Runoff Control</p>	<p><b>3-5:</b> Construction site operator education</p>	<p>Yes, proper control measures and informing operators of the requirements has the potential to reduce sediment loading from construction sites. Training will be provided to construction site operators and educational material.</p>
<p>Construction <b>3:</b> Site Stormwater Runoff Control</p>	<p><b>3-6:</b> MS4 staff training</p>	<p>Yes, awareness training facilitates the identification of construction site discharges via inspection and enforcement training. Staff will continue to receive Stormwater, Floodplain Management and OSHA safety trainings. Certified Floodplain Manager CEC'S were renewed.</p>

<p>Post-Construction Stormwater Management in New Development</p> <p><b>4:</b></p>	<p><b>4-1:</b> Ordinance requiring retention</p>	<p>Yes, the ordinance allows to enforce the construction of retention structures which decreases sediment loading during a rain event and reduces any flooding adverse impact throughout the community.</p>
<p>Post-Construction Stormwater Management in New Development</p> <p><b>4:</b></p>	<p><b>4-2:</b> Construction inspection of retention structures</p>	<p>Yes, the construction of retention structures decrease sediment loading during a rain event as well as allow for a reduction in velocity. Three public pond were constructed and inspected.</p>
<p>Post-Construction Stormwater Management in New Development</p> <p><b>4:</b></p>	<p><b>4-3:</b> Retention structure inventory</p>	<p>City pond list has been updated. Public pond inspections were performed. Improvement Plan record drawings are kept and show how the new ponds were constructed.</p>
<p>Post-Construction Stormwater Management in New Development</p> <p><b>4:</b></p>	<p><b>4-4:</b> Maintenance of private retention structures</p>	<p>Inspections were performed and violations were corrected. Private retention pond list has been updated.</p>
<p>Post-Construction Stormwater Management in New Development</p> <p><b>4:</b></p>	<p><b>4-5:</b> Maintenance of public retention structures</p>	<p>Yes, inspecting and maintaining retention structures decreases sediment loading within the stormwater system during rain events. Maintenance is completed on each pond at least once a year and an inspection of such maintenance is completed upon completion.</p>

<p>Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations</p>	<p><b>5-1:</b> Pollution prevention measures</p>	<p>Yes, facilities began preventing or reducing pollutants entering the stormwater system by implementing best practices. Regular inspections of backflow preventers, inlets, and other drainage infrastructure have been incorporated with the Public Works crew members to ensure that such structures are kept clear of debris and other pollutants. Facilities began preventing or reducing pollutants entering the stormwater system by implementing best practices.</p>
<p>Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations</p>	<p><b>5-2:</b> Employee training and education</p>	<p>Yes, employee training will continue to be provided accordingly. Training employees allows for a daily reduction of potential pollutants entering the stormwater system.</p>
<p>Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations</p>	<p><b>5-3:</b> Contractors SWMP compliance</p>	<p>Yes, Horizon City will contractually obligate contractors to comply with all stormwater control measures, pollution prevention measures, and facility-specific stormwater management operating procedures.</p>
<p>Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations</p>	<p><b>5-4:</b> Waste disposal procedures</p>	<p>Ongoing tracking of the type and amount of waste removed from the MS4 was conducted and information has been documented on the forms Waste Disposal Procedures for The Town of Horizon City. This helps keep track of the amount and type of waste that is present in the MS4.</p>
<p>Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations</p>	<p><b>5-5:</b> Vehicle maintenance</p>	<p>Routine vehicle and Equipment maintenance was conducted throughout the year and helps to reduce the amount of pollutants the entity's vehicles emit.</p>

**Attachment for Section B, No. 3:**

**Pollutant Reduction Analysis**

MCM	BMP	Information Used	Quantity	Units	Does BMP Demonstrate a Direct Reduction in Pollutants? (Answer Yes or No, and explain.)
<p><b>1:</b> Public Education, Outreach, and Involvement</p>	<p><b>1-7:</b> Host a “Keep Horizon City Beautiful” event</p>	<p>Trash and debris collected</p>	<p>1</p>	<p>Tons</p>	<p>Yes, trash and debris have the potential to house pollutants such as pesticides, herbicides, and animal wastes. During a rain event, stormwater can come in contact with the debris and these pollutants released into the waterways. Removing the items decreases the potential for these pollutants to come in contact with stormwater. Horizon City did not host a cleanup event in 2023. However, staff assisted in an Anti-Litter Campaign cleanup event held by constituents. City disposed of trash cleaned by constituents.</p> <p style="text-align: right;">26</p>
<p><b>1:</b> Public Education, Outreach, and Involvement</p>	<p><b>1-7:</b> Host a “Keep Horizon City Beautiful” event</p>	<p>Used tires</p>	<p>152</p>	<p>Number of tires</p>	<p>Yes, used tires have the potential to house oil. During a rain event, stormwater can come in contact with the interior of the tire, where oil can be housed. The oil can be released into the stormwater, releasing a pollutant. Removing the tires decreases the potential for these pollutants to come in contact with stormwater. Horizon City did not host a cleanup event in in 2023. However, staff the city picked up and disposed of tires brought by constituents.</p>

2: Illicit Discharge Detection and Elimination	2-1: Ordinance prohibiting Illicit Discharges	Number of enforcement actions	0	Violations issued	Yes, ordinance allows for inspections to be conducted and enforcement actions taken. Associating a cost with illicit discharge helps dissuade violators.
2: Illicit Discharge Detection and Elimination	2-4: Visual inspections of outfalls	Number of times outfall was inspected	27	Inspections	Yes, discharges were not observed during the inspections. In effect, this shows a decrease in illicit discharges.
2: Illicit Discharge Detection and Elimination	2-4: Visual inspections of outfalls	Number of illicit discharges observed	0	Discharges	Yes, if a discharge was observed, the source of the release could be found easily and the illicit discharge would be addressed accordingly, improving water quality.
2: Illicit Discharge Detection and Elimination	2-5: Continue to distribute educational material to the community that includes the stormwater reporting telephone number	Number of calls received via stormwater reporting telephone number	1	Calls	No, the public should be afforded a reliable and simple way to contact the appropriate entity concerning stormwater issues. If the process is complex, the ability to report issues will decrease. The Town will continue to distribute educational material to the community.
3: Construction Site Stormwater Runoff Control	3-2: Continue to utilize the SWP3 Review Checklist for homebuilders, commercial, and residential development plans	Number of Grading and Clearing Permits Submitted	14	Plans submitted and reviewed	No, allows for a proactive approach, preventing illicit discharges. This is accomplished by performing inspections of required BMPs and engineering controls. The Town will continue to review homebuilders, commercial, and residential development plans.
3: Construction Site Stormwater Runoff Control	3-3: Implement construction site SWP3 inspection program	Number of inspections conducted	25	Inspections	Yes, allows for a proactive approach, preventing illicit discharges. This is accomplished by performing inspections of required BMPs and engineering controls. The Town will continue to inspect homebuilders, commercial, and residential development plans.

<p><b>4:</b> Post-Construction Stormwater Management in New Development and Redevelopment</p>	<p><b>4-2:</b> Continue the construction inspection program to verify retention structures are built according to plans</p>	<p>Number of retention structure plans reviewed</p>	<p>2</p>	<p>Plans submitted and reviewed</p>	<p>No, allows for a proactive approach, preventing failures of the retention structures. Failures would allow elevated levels of sediment into the stormwater system, degrading water quality. The Town will continue to inspect construction inspection to verify retention structures are built per plans.</p>
<p><b>4:</b> Post-Construction Stormwater Management in New Development</p>	<p><b>4-2:</b> Construction inspection of retention structures</p>	<p>Number of inspections conducted</p>	<p>2</p>	<p>Inspections</p>	<p>Yes, the correct and approved retention structure will decrease sediment loading during a rain event. The Town will continue to inspect construction inspection to verify retention structures are built per plans.</p>
<p><b>4:</b> Post-Construction Stormwater Management in New Development and Redevelopment</p>	<p><b>4-5:</b> Post-construction stormwater management in new development</p>	<p>Number of inspections and maintenance activities</p>	<p>2</p>	<p>Inspections and maintenance activities</p>	<p>Yes, inspecting and maintaining retention structures decreases sediment loading within the stormwater system during rain events. The structures are inspected during the final walkthrough and will be re-inspected during the 1 year warranty walkthrough.</p>

**Attachment for Section B, No. 4:  
Measurable Goals Status**

<b>MCM(s)</b>	<b>Measurable Goal(s)</b>	<b>Explain progress toward goal or how goal was achieved</b>
<p><b>1:</b> Public Education, Outreach, and Involvement</p>	<p>Publish two stormwater articles in the <i>Courier</i>, including one related to high-priority community-wide issues.</p>	<p>Goal Met. Two stormwater related articles were published in the Courier on 3-02-2023 and 8-3-2023</p>
<p><b>1:</b> Public Education, Outreach, and Involvement</p>	<p>Post annual report and any newly developed stormwater related materials.</p>	<p>Goal Met. The annual report was presented to the City Council in February 14, 2023 and was uploaded as part of the agenda.</p>
<p><b>1:</b> Public Education, Outreach, and Involvement</p>	<p>Distribute educational stormwater material at one festival or event.</p>	<p>Goal met. Distributed stormwater material for National Night Out event on 10/3/2023 and Movies at the Park event on 7/10/2023</p>
<p><b>1:</b> Public Education, Outreach, and Involvement</p>	<p>Host a “Keep Horizon City Beautiful” event.</p>	<p>Goal Not met. Horizon City did not host a cleanup event in 2023. However, staff assisted in an Anti-Litter Campaign cleanup event held by constituents. City disposed of trash cleaned by constituents.</p>
<p><b>2:</b> Illicit Discharge Detection and Elimination</p>	<p>Add new outfalls to the MS4 Map that result from redevelopment</p>	<p>Goal met as the new outfalls were added due to drainage improvement as part of new development.</p>
<p><b>2:</b> Illicit Discharge Detection and Elimination</p>	<p>Conduct annual in-house training for employees involved in illicit discharge detection</p>	<p>Goal met. Employees were able to train and recertify as stormwater inspectors and plan reviewers virtually.</p>
<p><b>2:</b> Illicit Discharge Detection and Elimination</p>	<p>Visually inspect each outfall for illicit discharges twice.</p>	<p>Goal met. Each outfall was inspected two times in March and August 2023.</p>
<p><b>2:</b> On-Site Sewage Disposal System</p>	<p>Obtain a map of sewer coverage from HRMUD to determine where on-site sewage systems may exist.</p>	<p>Goal met. Map was created with information provided by the HRMUD and the District’s engineer.</p>

<p><b>3:</b> Construction Site Stormwater Runoff Control</p>	<p>Provide 8 to 16 hours of commercially available training in SWP3 review and inspection to new staff who perform these duties.</p>	<p>Goal met. Employees were able to train and recertify as stormwater inspectors and plan reviewers virtually.</p>
<p><b>3:</b> Construction Site Stormwater Runoff Control</p>	<p>Conduct 1-hour of in-house, construction stormwater awareness training for employees who visit construction sites.</p>	<p>Goal met as Employees were able to train and recertify as stormwater inspectors and plan reviewers virtually.</p>
<p><b>4:</b> Post-Construction Stormwater Management in New Development and Redevelopment</p>	<p>Create a map of public and private retention structures within the corporate limits.</p>	<p>Goal Met. The map has been created to include a listing of all the retention structures. The map was created using this information in the 2018 program year and updated annually.</p>
<p><b>5:</b> Pollution Prevention/ Good Housekeeping for Municipal Operations</p>	<p>Conduct self-inspection to determine if pollution prevention measures are effective and sufficient.</p>	<p>Goal Met. Inspections for vehicles and equipment was conducted throughout the 2023.</p>
<p><b>5:</b> Pollution Prevention/ Good Housekeeping for Municipal Operations</p>	<p>Conduct 1-hour of in-house training on pollution prevention measures relevant to employees' duties.</p>	<p>Goal met as Employees were able to train and recertify as stormwater inspectors and plan reviewers virtually.</p>
<p><b>5:</b> Pollution Prevention/ Good Housekeeping for Municipal Operations</p>	<p>Develop contract clauses and written procedures for ensuring Horizon City's contractors comply with requirements established by the SWMP.</p>	<p>Goal met. Forms were developed/updated for plan review and inspections of drainage infrastructure outfalls.</p>

**Attachment for Section E:  
Stormwater Activities**

<b>MCM(s)</b>	<b>BMP</b>	<b>Stormwater Activity</b>	<b>Description/Comments</b>
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-1:</b> Educational materials and distribution	Continue to distribute existing educational material and newly developed material to the community, businesses, homebuilders, and construction companies.	Topics included, trash and debris, illegal dumping into the stormwater system, and pollutants that constrict and damage stormwater infrastructure.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-3:</b> Horizon City website	Continue to operate and maintain stormwater information on the Horizon City Website.	Will continue to update the Webpage monthly and links will be added on the website for people to access the SQPO along with an electronic copy of the SWMP.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-5:</b> Public notice for meetings	Post public notice when a stormwater item is on the City Council agenda.	Public notice will be published and updated on the City website and at City Hall as necessary.
Public Education, <b>1:</b> Outreach, and Involvement	<b>1-6:</b> Stormwater reporting telephone number	Continue to include information about the Stormwater Reporting Telephone Number in educational materials.	The phone number included on the materials is 877-ID-FLOWS (877-433-5697). <sup>31</sup>
Illicit Discharge <b>2:</b> Detection and Elimination	<b>2-1:</b> Ordinance prohibiting illicit discharges	Continue enforcing discharge prohibitions and tracking enforcement actions.	The SQPO will be reviewed and revised to meet the requirements of Part III.A.3.(a) of the Small MS4 General Permit
Illicit Discharge <b>2:</b> Detection and Elimination	<b>2-5:</b> Public reporting of illicit discharges	Continue to distribute educational material to the community that includes the Stormwater Reporting Telephone Number.	Educational materials publicizing the phone number include information about the types of discharges that are prohibited will generated.
Construction <b>3:</b> Site Stormwater Runoff Control	<b>3-1:</b> Ordinance requiring construction site controls	Continue to utilize the SQPO to reduce the discharge of pollutants from construction sites.	The SQPO is a means to reduce pollutants entering the MS4 from construction activities.
Construction <b>3:</b> Site Stormwater Runoff Control	<b>3-2:</b> Plan review	Continue to utilize the SWP3 review checklist for homebuilders, commercial and residential development plans.	Review includes verifying that a SWP3 is in the plan set by utilizing a review checklist.

Construction <b>3:</b> Site Stormwater Runoff Control	<b>3-3:</b> Construction site inspections	Continue to implement the construction site SWP3 inspection program.	Inspections will be conducted compliance and additional inspections will be conducted based on reports and complaints.
Construction <b>3:</b> Site Stormwater Runoff Control	<b>3-4:</b> Public reporting of construction discharges	Continue responding to public reports.	The stormwater reporting telephone number will continue to be publicized to facilitate reporting of problems the public observes at construction sites.
Construction <b>3:</b> Site Stormwater Runoff Control	<b>3-5:</b> Construction site operator education	Continue to distribute educational material during plan submittal and request for a building permit.	Educational material will continue to be distributed to all building permit applicants.
Post-Construction Stormwater Management in New Development <b>4:</b>	<b>4-1:</b> Ordinance requiring retention	Continue to utilize ordinances to require retention structures that are designed to meet Horizon City's standards.	The retention must be designed with capacity to hold both the volume of stormwater generated by a 100 year Storm (one percent probability storm event) and a 10-year accumulation of silt.
Post-Construction Stormwater Management in New Development <b>4:</b>	<b>4-2:</b> Construction inspection of retention structures	Continue the construction inspection program to verify retention structures are built according to plans.	Construction inspector does not accept the development or redevelopment as final unless the retention structure is constructed according to the plans. 32
Post-Construction Stormwater Management in New Development <b>4:</b>	<b>4-5:</b> Maintenance of public retention structures	Continue implementing inspection and maintenance of public retention structures on a 10-year cycle.	Structures are to be regularly inspected for maintenance and to perform maintenance on the structures, as needed.
Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations	<b>5-4:</b> Waste Disposal Procedures	Continue to manage and track waste removed from the MS4.	The developed forms will be used to track the types and quantities of waste being removed.
Pollution Prevention/ <b>5:</b> Good Housekeeping for Municipal Operations	<b>5-5:</b> Vehicle maintenance	Continue to perform maintenance of municipal cars and light duty trucks only at authorized commercial facilities.	No maintenance of vehicles or equipment is allowed on municipal property; vehicles and equipment are taken to an authorized facility.

# Town of Horizon City Capital Improvement Program

February 13, 2024  
Council Meeting

# Oxbow & Pawling Street Improvements

- Start Date: June 12, 2023
- Contract Time: 330 Days
- Completion Date: May 2024
- Construction on-going and on schedule
  - Utilities may require change to storm sewer installation

# Oxbow, Pawling & Breaux



# Municipal Facilities Phase 1

- Schedule is to advertise in February 2024
- Bid award – Spring 2024

# Street Maintenance Fund

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# 2023-2024 Street Maintenance Program

- Design for street improvements ongoing
- Street work includes mill and overlay for
  - S. Kenazo
  - N. Kenazo, and
  - the north side of McMahan Ave
- Scheduled to advertise by March 2024

# Federally- & State-Funded Project Updates

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# N. Darrington Reconstruction

- Texas Transportation Commission awarded construction contract
- Contractor is Jordan Foster
- Contract is approximately \$21.5 million
- Programmed amount through MPO is \$17 million<sub>40</sub>
- Staff is evaluating local funding options – no federal or state funding options are available on a timely basis for bid award.

# N. Darrington Reconstruction

## Project start date

- Horizon/Darrington Rd. Intersection – January 2024
- N. Darrington Rd. Reconstruction – February 2024
- Scheduling public meeting for this and other projects in the vicinity

# N. Darrington Reconstruction

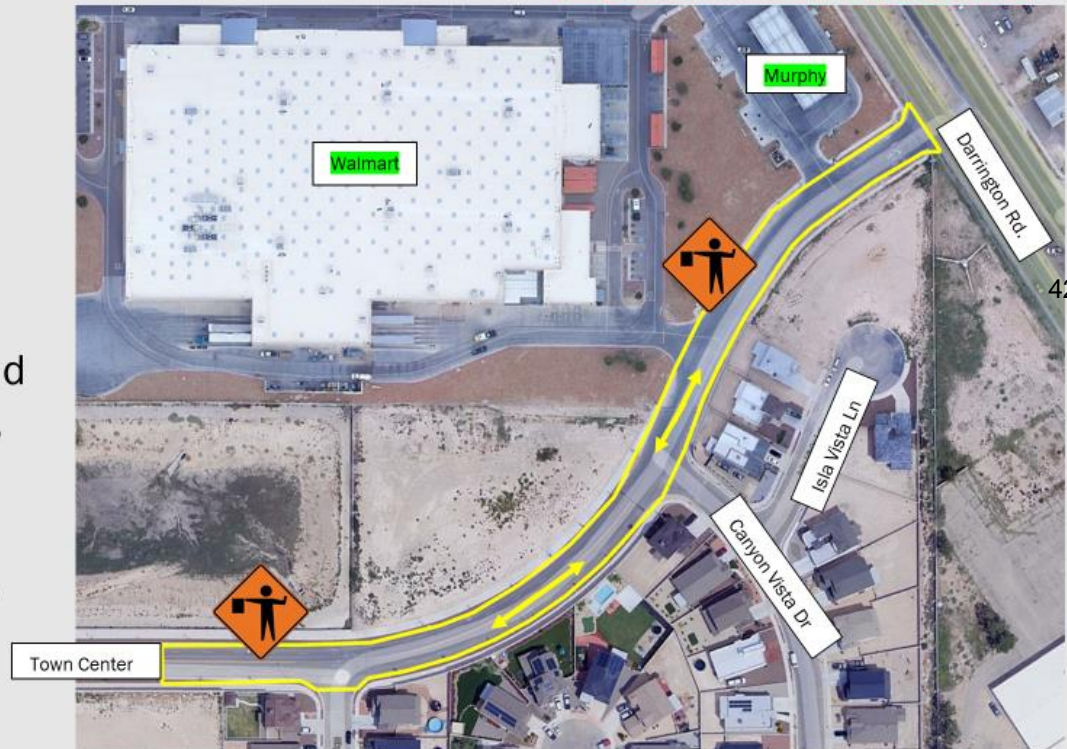
## Coordinating for Storm drain installation at Town Center



TEXAS DEPARTMENT OF TRANSPORTATION

**UPDATE**

- Starting Monday morning, February 12<sup>th</sup>, 2024, crews on our Horizon/Darrington Reconstruction Project will begin trenching operations.
- Town Center will be reduced to one lane between 9am and 7pm daily, for up to 4 weeks. Flaggers will be present.
- Please drive cautiously as crews will be trenching up to 15 feet deep to install storm drain pipe.



# N. Darrington Reconstruction

- Town staff and TXDOT working on Utility Coordination
  - Texas Gas Service reimbursement for relocations on N. Darrington per franchise agreement is under review
  - Encroachment agreement on Texas Gas Service easement – Town staff and legal team finalizing agreement

# **N. Darrington Reconstruction – ROW Acquisition**

- **ROW for pond acquired**
- **Easements at Darrington and Pawling**
  - Offer sent out for temporary construction easement
  - Developing easement agreement for permanent easement with Murphy Gas.

# Safety Projects

- **S. Darrington Safety Lighting** from Alberton to LTV Rd. – **FY 2023 - project awarded March 2023**
- **Project start – changed to March 4, 2024**

# TIRZ/TOD Update

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# Dilley, Delake and Transit Plaza

- Funding will be made available through HUD and Economic Development – pending final agreement

# Town of Horizon City Capital Improvement Program

February 13, 2024  
Council Meeting

# Town of Horizon City ARPA Update

February 13, 2024  
Council Meeting

## American Rescue Plan Projects

Updated: February 8, 2024

Program	Project Description	Allocation	Adjusted Allocation	Variance	Costs & Contracts to Date	Balance
Administration	City Attorney - Legal Services	\$ 46,000	\$ 46,000	\$ -	\$ 73,947	\$ (27,947)
Administration	Personal Protective Equipment	\$ 336,000	\$ 336,000	\$ -	\$ 5,529	\$ 330,471
Administration	Other Services & Equipment - HR services, additional sanitation	\$ 288,000	\$ 155,000	\$ (133,000)	\$ -	\$ 155,000
Administration	Rental of Portable offices	\$ 42,000	\$ 42,000	\$ -	\$ 35,218	\$ 6,782
Administration	Collaborative Projects - Food distribution, testing sites, broadband initiatives	\$ 138,000	\$ 138,000	\$ -	\$ -	\$ 138,000
Administration	Facilities - rental of additional offices	\$ 117,000	\$ -	\$ (117,000)	\$ -	\$ -
<b>Administration</b>	<b>General Operations</b>	<b>\$ 967,000</b>	<b>\$ 717,000</b>	<b>\$ (250,000)</b>	<b>\$ 114,694</b>	<b>\$ 602,306</b>
CIP/Planning	Virtual Meeting Capabilities	\$ 100,000	\$ 100,000	\$ -	\$ 91,244	\$ 8,756
CIP/Planning	City Hall Build Out	\$ 500,000	\$ 750,000	\$ 250,000	\$ 2,100	\$ 747,900
CIP/Planning	Demolition of Former FAA Facility	\$ 250,000	\$ -	\$ (250,000)	\$ 4,200	\$ (4,200)
CIP/Planning	N. Darrington Reconstruction - ROW Acquisition	\$ 950,000	\$ 890,000	\$ (60,000)	\$ 1,386,561	\$ (496,561)
CIP/Planning	N. Darrington Reconstruction - Utility Relocation	\$ -	\$ 60,000	\$ 60,000	\$ -	\$ 60,000
CIP/Planning	Drainage Improvements	\$ 950,000	\$ 1,200,000	\$ 250,000	\$ 6,300	\$ 1,193,700
<b>CIP/Planning</b>	<b>Horizon City Property Portfolio</b>	<b>\$ 900,000</b>	<b>\$ 810,000</b>	<b>\$ (90,000)</b>	<b>\$ -</b>	<b>\$ 810,000</b>
CIP/Planning	City-initiated rezoning in TOD	\$ -	\$ -	\$ -	\$ -	\$ -
CIP/Planning	Transit Plaza Siting	\$ -	\$ 90,000	\$ 90,000	\$ -	\$ 90,000
CIP/Planning	Air Quality Analysis for Transit Plaza and Horizon-Socorro Circulator Route	\$ -	\$ -	\$ -	\$ -	\$ -
CIP/Planning	Transit Plaza property acquisition (if necessary)	\$ -	\$ -	\$ -	\$ -	\$ -
CIP/Planning	City Hall Property Acquisition (if necessary)	\$ -	\$ -	\$ -	\$ -	\$ -
CIP/Planning	Dilley Construction (if necessary)	\$ -	\$ -	\$ -	\$ -	\$ -
<b>CIP/Planning</b>	<b>CIP/Planning Totals</b>	<b>\$ 3,650,000</b>	<b>\$ 3,900,000</b>	<b>\$ 250,000</b>	<b>\$ 1,490,405</b>	<b>\$ 2,409,595</b>
				\$ -	\$ -	\$ -
<b>HEDC</b>	<b>Small Business Grant and Incentive Fund</b>	<b>\$ 250,000</b>	<b>\$ 250,000</b>	<b>\$ -</b>	<b>\$ 249,265</b>	<b>\$ 735</b>

<b>Program Total</b>	<b>\$ 4,867,000</b>	<b>\$ 4,867,000</b>	<b>\$ -</b>	<b>\$ 1,854,364</b>	<b>\$ 3,012,636</b>
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Blue Font - Projects presented in November 2023 to Council

# Criteria

- Federally eligible projects
- Feasible during remaining obligation and expenditure time frame
- Meet Town's needs
- Leverage other funds

# Virtual Meeting Capabilities

- Equipment has been ordered
- Scheduled for installation late spring/early summer 2024

# City Hall Build Out

## Reviewing contracting options

- Utilizing an eligible entity's federally compliant design consultant selection
  - Buy Board
  - Other
- City procurement

# N. Darrington Reconstruction – ROW Acquisition

- Pond acquisition complete
- Pending temporary and permanent easements for signal at Darrington and Pawling
- Proposing to use part of the allocation to pay for TGS relocation costs

# Drainage Improvements

- Identifying highest priority project(s)
- Prepare to advertise for design services

# City-initiated rezoning in TOD

- Next step in planning efforts to achieve vision in TOD
- Exploring options to reduce administrative time

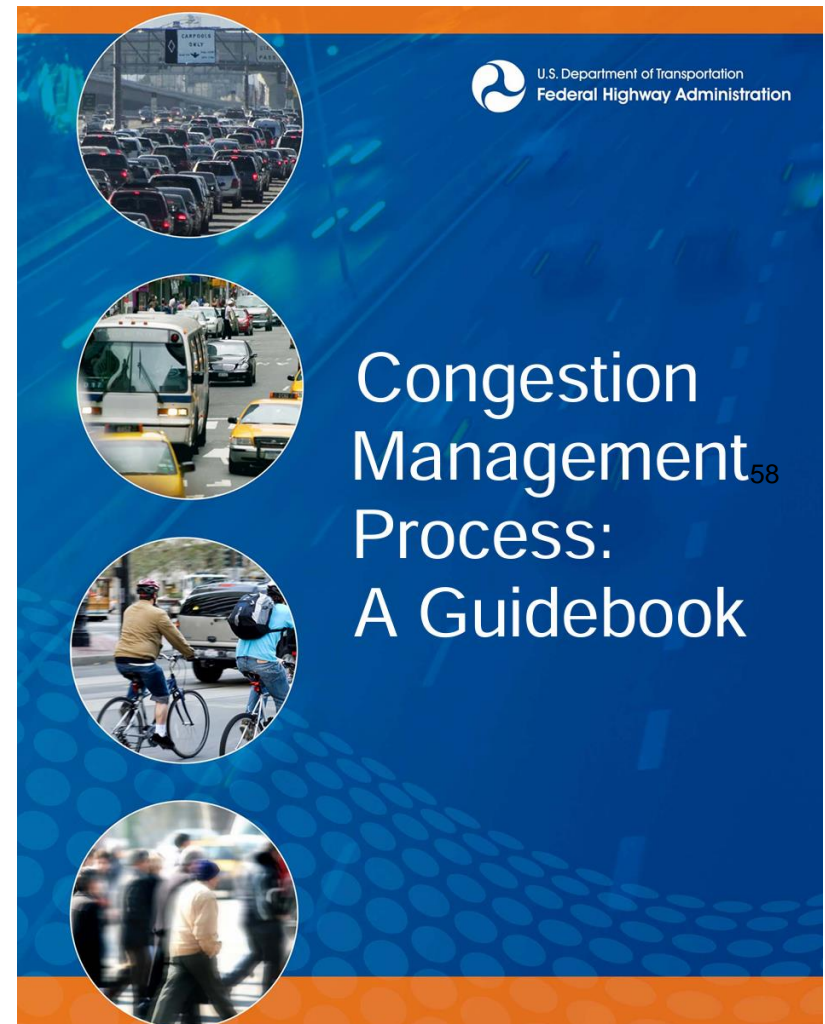


# Transit Plaza Siting

- First step to design Transit Plaza
  - Consider circulation within and outside TOD
  - Upon site selection, acquisition and design for the plaza can begin
  - Contract with CRRMA
  - **Requesting budget allocation**

# Air Quality Analysis for Projects

- Transit Plaza
- Horizon-Socorro Circulator Route
- Analyses required to secure Congestion Mitigation and Air Quality (CMAQ) funds
- Coordinating with El Paso Area Transit Service - LGC



# Transit Plaza Property Acquisition

- Acquisition to follow federal requirements upon completion of the site assessment.

## City Hall Phase 2 - Property Acquisition

- Acquisition, only if necessary, once the site assessment project is completed.

# Dilley Construction (if necessary)

- Upon completion of the design for Dilley and Delake, can utilize these funds for the construction of Dilley.

# Ongoing monitoring

- Will conduct quarterly evaluations to determine project progress and make alternate recommendations if appropriate.

# Town of Horizon City ARPA Update

February 13, 2024  
Council Meeting



TOWN OF HORIZON CITY  
MEMORANDUM

**Date:** February 8, 2024

**To:** Honorable Mayor and Members of City Council

**From:** Teresa Quezada, CIP Manager

**SUBJECT:** Discussion and Action: On a resolution authorizing the expenditure of ARPA funds

*[Handwritten signature and date: 2/8/24]*

In November 2023, staff presented a proposed reallocation of funds to the ARPA program to ensure Horizon City managed the use of ARPA funds to high priority city needs that met federal requirements.

Staff now requests the authorization of the expenditure of ARPA funds to continue meeting the City's goals for two specific projects.

- **\$60,000 – reimbursement to Texas Gas Services to cover the relocation costs associated with the N. Darrington Reconstruction project.** The reimbursement is required through the existing ordinance granting a franchise to TGS service. Staff is finalizing the agreement between TGS and the City for the reimbursement. TGS is finalizing their design and will meet the City requirements for permitting and restoring any disturbed areas to existing conditions.

Staff proposes that this amount be allocated from the amount currently allocated to ROW acquisition for N. Darrington Reconstruction.

- **\$90,000 – Interlocal agreement with the Camino Real Regional Mobility Authority (CRRMA) for the study to site the Horizon City Transit Plaza.** Council approved the interlocal agreement at their January 15, 2024, meeting. This amount is allocated from the amount initially allocated to the Horizon City Property Portfolio.

Staff recommends approval of the resolution.

## **RESOLUTION**

**WHEREAS**, the Town of Horizon City is a beneficiary of funds allocated to state and local governments under the American Rescue Plan Act;

**WHEREAS**, the American Rescue Plan Act (ARPA) Funds must be programmed/committed by end of year 2024 and the funds must be fully spent by end of year 2026;

**WHEREAS**, the Town of Horizon City Council approved a Resolution on April 12, 2022, allocating \$4.8 million of American Rescue Plan Act (ARPA) funds to the following categories:

- Responding to Public Health Emergency,
- Responding to Negative Economic Impacts,
- Investments in Infrastructure; and

**WHEREAS**, the Town of Horizon City desires to approve the expenditure of funds for two specific projects.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS:**

That the Town of Horizon City, Texas authorizes the expenditure of ARPA funds as follows:

1. \$60,000.00 – Reimbursement to Texas Gas Services to cover the expense of facilities relocation in connection with the North Darrington Road Reconstruction Project. (Investment in Infrastructure)
2. \$90,000.00 - Interlocal Agreement with Camino Real Regional Mobility Authority to cover the cost of a study to site the Horizon City Transit Plaza. (Investment in Infrastructure)

**PASSED AND APPROVED THE** \_\_\_ day of February 2024.

**Town of Horizon City**

**By:** \_\_\_\_\_  
**Andres Renteria, Mayor**

**ATTEST:**

**By:** \_\_\_\_\_  
**Elvia Schuller, City Clerk**

## RESOLUTION

That the Town of Horizon City authorizes the Mayor to sign the 2024 Polling Place Agreement between the Town of Horizon City and the County of El Paso for the use of Oz Glaze Senior Center at 13969 Veny Webb St. Horizon City 79928 as a polling place for:

1. The March 2024 Primary Election, Early Voting - Periods #1, #2, #3;
2. The Primary Runoff Election – Monday May 20, 2024, through Friday May 24, 2024;
3. The May 2024 Uniform Election Early Voting - Periods #1, #2, #3;
4. The June Runoff Election, Early Voting - Periods #1, #2, #3;
5. The November 2024 General Election Early Voting - Periods #1, #2, #3;
6. The December 2024 Runoff Election - Periods #1, #2, #3; and

That Elvia Schuller TRMC, the Town of Horizon City Clerk, be designated the Town of Horizon City’s representative to assure access to the premises on the applicable equipment delivery dates, voting period and election equipment pick-up dates.

**Passed and approved** on January\_\_\_\_, 2024.

**TOWN OF HORIZON CITY**

By: \_\_\_\_\_  
**Andres Renteria, Mayor**

**ATTEST:**

By: \_\_\_\_\_  
**Elvia Schuller, City Clerk**

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
**Sylvia Borunda Firth**  
**Assistant City Attorney**

# 2024 POLLING PLACE AGREEMENT Between El Paso County and Town of Horizon City

**Contracting Entity (“Owner”):** Town of Horizon City

**Main Office Address:** 14999 Darrington Road, Horizon City, Texas 79928

THIS POLLING PLACE AGREEMENT, (the “Agreement”) is entered into and effective the 1<sup>st</sup> day of **February, 2024** between El Paso County, Texas (the “County”), a political subdivision of the State of Texas, and **Town of Horizon City** as “Owner” (“Owner”), individually the “Party” and, collectively with the County, the “Parties”). For purposes of this Agreement, “County” will specifically include the El Paso County Elections Administrator and her designees.

Owner and County agree that Owner will provide the County space (the “Polling Place”) located within **Town of Horizon City Attachment(s) 1-6** (the “Premises”) as a location for conducting public elections on the dates and during the times shown below.

In consideration of the mutual covenants and promises in this Agreement the Parties agree as follows:

1. Election Dates: Owner shall provide a room that is specified in Attachment(s) **1-6**, located at the Premises as a Polling Place for the **2024** elections indicated below. County will have access to the Polling Place on the dates noted in the Attachment(s) by way of the Premises each designated Voting Period for the purpose of conducting local, state and national elections as needed. For purposes of this Agreement, “Voting Period” shall mean the intervals in which votes are accepted pursuant to the Texas Elections Code and shall include the early voting period and the Election Day and any other periods as specified in the accompanying Attachment(s). The Polling Place will not be used for any other purpose during this time. Polling Place closing times during the Voting Period may be adjusted past 7:00 P.M. in the event that at 7:00 P.M. there are voters remaining in line to vote. The Polling Place will remain open until all voters who were in line to vote at 7:00 P.M. have had the opportunity to vote.

Any attempt to change or move the Polling Place prior to or during Voting Periods may be viewed by the public as an attempt to confuse or mislead voters. As such, Owner shall take all reasonable steps to avoid any change in location of the Polling Place. Absent an Emergency, Owner shall obtain County’s written consent prior to changing or moving the Polling Place. An “Emergency” is defined as an event beyond the reasonable control of the Owner, including electricity outage, air conditioning unit malfunction, fire, flood, riots, or war, or any other cause which could not with reasonable diligence be foreseen, controlled, or prevented by Owner.

2. Access to Premises/Polling Place: Prior to Voting Period, Owner shall provide County election workers access to the Premises and the Polling Place for delivery and storage of election equipment needed to conduct the election. Access is limited to regular County election workers and does not include access by election judges, or election clerks. Access shall be granted to the County during each Voting Period. Owner will coordinate

## 2024 POLLING PLACE AGREEMENT Between El Paso County and Town of Horizon City

with County on additional dates and times when County will be allowed to set up tables and chairs for election judges and clerks, electronic ballot machines, and related equipment necessary to conduct the elections. Equipment delivery date(s) and approximate delivery times for the **2024** elections are as specified on the Attachments(s).

- 2.1 Election equipment will be delivered to a storage area as agreed in Attachment(s) **1-6**. County and Owner acknowledge and agree that County employees shall be solely authorized to unload, load, move, or handle election equipment located on the Premises before, during, and after the Voting Period.
3. Voting Period Access: Owner or Owner's designee and County will coordinate in advance and Owner shall provide County access to the Polling Place by means specified in Attachment(s) **1-6**.
4. Post-Voting Period: Owner shall provide access to the Premises to the County between the hours of 8:00 A.M. and 5:00 P.M. for pick-up of the election equipment. Owner and County shall coordinate on dates for equipment pick-up by County Elections Department staff.
5. Owner Contacts: The Owner shall designate a primary, a secondary, and an emergency contact person for Voting Period to assure access to the premises on the applicable equipment delivery dates, Voting Period and election equipment pick-up dates. Contacts shall be as designated in Attachment(s) **1-6**.
6. County Contacts: The following persons are designated as the County's contacts to assure proper communication and access to the premises on the applicable equipment delivery dates, Voting Period and election equipment pick-up dates:
  - a. Primary Contact: Claudia Ramirez, Elections Generalist Intermediate  
Email Address (if any): [claramirez@epcounty.com](mailto:claramirez@epcounty.com)  
Phone Number: (915)546-2154.
  - b. Secondary Contact: Vanessa Ruiz, Election Administration Coordinator  
Email Address (if any): [vruiz@epcounty.com](mailto:vruiz@epcounty.com)  
Phone Number: (915)546-2154.
  - c. Emergency contact for Voting Period. Emergency contact will be available between 6:00 a.m. and approximately 11:00 p.m. on election day:  
Emergency Contact: Vanessa Ruiz, Election Administration Coordinator  
Email Address (if any): [vruiz@epcounty.com](mailto:vruiz@epcounty.com)  
Phone Number: (915)546-2154.
  - d. Emergency Contact: Claudia Ramirez, Elections Generalist Intermediate  
Email Address (if any): [claramirez@epcounty.com](mailto:claramirez@epcounty.com)  
Phone Number: (915)546-2154.

## 2024 POLLING PLACE AGREEMENT Between El Paso County and Town of Horizon City

7. Polling Place Equipment: The Owner will endeavor to assist the County in providing tables and chairs for Voting Period judges and clerks. In the event Owner cannot provide the requested equipment, Owner will notify County no less than 30 days before each Voting Period.
8. Premise and Polling Place Conditions:
  - a. Owner is providing the Polling Place without charge to the County. There may be a reimbursement for actual expenses resulting from the use of a building in those instances specifically permitted under Election Code Chapter 43. In that event, the County and the Owner will state the specific purpose and amount for which the charge is incurred.
  - b. Owner will provide the Polling Place in a clean and orderly state. County will return the Polling Place in the same condition. Owner will coordinate with County to provide the Polling Place(s) with access to working electrical outlets. All electrical outlets inside the Polling Place shall be in good working order.
  - c. The parking lot or parking area at the Premises shall be clear of all obstructions which would impede voter access during Voting Period.
  - d. During the Voting Period, Owner will provide and reserve one (1) parking space as curbside voting parking that is not designated handicap parking space, as required by law ("Reserved Curbside Voting Parking"). The area for the Reserved Curbside Voting Parking space will be clearly marked with a sign: (1) indicating that the space is reserved for use by a voter who is unable to enter the polling place; and (2) displaying, in large font that is clearly readable from a vehicle, a telephone number that a voter may call or text to request assistance from an election officer at the polling place. As an alternative to displaying a telephone number, the area for the Reserved Curbside Voting Parking space may provide the voter with a button or intercom that the voter may use to request assistance from an election officer. The County will provide the required signs, button or intercom mentioned herein. Owner will comply with allowing the County to install such signs, button or intercom during the Voting Period.
  - e. Owner will endeavor to provide additional parking for disabled voters during the Voting Period, according to and in compliance with any State and Federal laws that may apply.
  - f. Owner will coordinate with County to ensure that in accordance with Texas law, each Polling Place is organized to prohibit electioneering within 100 feet of entrances to the Polling Places. Owner and County will coordinate to determine the limits of the required perimeter and placement of distance markers. Owner may allow electioneering materials to be displayed on the Premises from 7:00 A.M. to 7:00 P.M. during Voting Period based on Owner's own policies and procedures provided that such displays do not conflict with Texas law.
  - g. Nothing in this Agreement imposes any duty on the County to maintain, repair, or improve the Premises or cure any premise defect of the property on which the Polling Place is located. Owner further agrees not to remove any electioneering material from the property until the election is completed. Owner understands that the organizations and persons placing the electioneering materials are responsible for their removal.

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City

9. **Waiver.** A waiver of this Agreement, or any of its terms, shall not be valid unless the waiver is in writing and signed by the Party against which the enforcement of the waiver is sought. No failure or delay of any Party, in any one or more instances (i) in exercising any power, right or remedy under this Agreement or (ii) in insisting upon the strict performance by the other Party of such other Party's covenants, obligations or agreements under this Agreement, shall operate as a waiver, discharge or invalidation, nor shall any single or partial exercise of any right, power or remedy or insistence on strict performance, or any abandonment or discontinuance of steps to enforce such a right, power or remedy or to enforce strict performance, preclude any other or future exercise or insistence of the exercise of any other right, power or remedy.
10. **Other Services.** Nothing in this Agreement shall be deemed to create, by implication or otherwise, any duty or responsibility of either of the Parties to undertake or not to undertake any other service, or to provide or not to provide any service, except as specifically set forth in this Agreement or in a separate written instrument executed by both Parties.
11. **Governmental Immunity.** Nothing in this Agreement shall be deemed to waive, modify, or amend any legal defense available at law or in equity to either of the Parties nor to create any legal rights or claims on behalf of any third party. Neither of the Parties waives, modifies, or alters to any extent whatsoever the availability of the defense of governmental immunity under the laws of the State of Texas and of the United States.
12. **Amendments and Modifications.** This Agreement may not be amended or modified except in writing and executed by both Parties to this Agreement and authorized by their respective governing bodies.
13. **Venue.** For any and all disputes arising under this Agreement, venue shall be in El Paso County, Texas.
14. **Successors and Assigns.** This Agreement shall bind and inure to the benefit of the respective Parties and their legal successors, and shall not be assignable, in whole or in part, by any Party without first obtaining the written consent of the other Party.
15. **Severability.** If any provision of this Agreement is held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Agreement, but rather this entire Agreement will be construed as if it did not contain the particular invalid or unenforceable provision(s), and the rights and obligations of the Parties shall be construed and enforced in accordance with this Agreement. The Parties acknowledge that if any provision of this Agreement is determined to be invalid or unenforceable, it is their desire and intention that such provision be reformed and construed in such a manner that it will, to the maximum extent practicable, give effect to the intent of this Agreement and be deemed to be validated and enforceable.
16. **No Agency.** Neither Owner nor any employee of Owner, and neither County nor any employee of County is an agent, or employee of one another. Both County and Owner understand and agree that neither Party is responsible or liable to each other for third party actions, or any other electioneering actions.

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City


17. **No Extension of Benefits.** This Agreement does not and shall not be construed to entitle either Party or any of their respective employees, if applicable, to any benefit, privilege, or other amenities of employment by the other Party.
18. **Execution in Counterparts.** This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall be considered fully executed as of the date first written above, when both Parties have executed an identical counterpart, notwithstanding that all signatures may not appear on the same counterpart.

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City

Executed in duplicate in El Paso County, Texas, this 22<sup>nd</sup>, day of January, 24.

By: \_\_\_\_\_  
Lisa Wise  
El Paso County Elections Administrator

By: \_\_\_\_\_  
Betsy Keller  
El Paso County Chief Administrator

By:  \_\_\_\_\_  
Signature of Authorized Representative  
(Signor must have legal authority to bind entity)

Elvia Schuller  
Printed Name of Representative

915-867-8006  
Primary Phone Number

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City  
ATTACHMENT 1

**Type of Election:** March 2024 Primary Election  
**Early Voting Period #1:** Tuesday, February 20, 2024 through Friday February 23, 2024  
**Hours of Voting #1:** 10:00 A.M. – 7:00 P.M.  
**Early Voting Period #2:** Saturday, February 24, 2024 and Sunday February 25, 2024  
**Hours of Voting #2:** 12:00 P.M. – 5:00 P.M.  
**Early Voting Period #3:** Monday, February 26, 2024 through Friday March 1, 2024  
**Hours of Voting #3:** 10:00 A.M. – 7:00 P.M.

The following persons are designated as the Owner’s contacts to assure access to the premises on the applicable equipment delivery dates, Voting Period and election equipment pick-up dates:

**Premises Entity:** Town of Horizon City  
**Physical Polling Location:** Oz Glaze Senior Center  
**Physical Polling Location Address:** 13969 Veny Webb St., Horizon City, Texas 79928

**Primary Contact & Title:** Elvia Schuller, City Clerk  
**Email Address:** Eschuller@horizoncity.org  
**Phone Number:** 915-852-1046  
**Cell Phone Number:** 915-867-8006

**Secondary Contact & Title:** Danny Serrano, Building Official  
**Email Address:** dserrano@horizoncity.org  
**Phone Number:** 915-852-1046  
**Cell Phone Number:** 915-630-8525

**Emergency contact for Voting Period. Emergency contact will be available between 6:00 A.M. and approximately 11:00 P.M. on Election Day.**

**Emergency Contact & Title:** Elvia Schuller, City Clerk  
**Email Address:** Eschuller@horizoncity.org  
**Phone Number:** 915-852-1046  
**Cell Phone Number:** 915-867-8006

Owner shall provide (specify room): Main Dining Room as the Polling Place. Election Equipment will be delivered to storage area (if different from Polling Place above): \_\_\_\_\_ on the **Wednesday, February 14, 2024 through Friday, February 16, 2024** between the hours of 8:00 A.M. to 5:00 P.M.

County will have access to the Polling Place by way of the Premises from **9:00 A.M. until 8:00 P.M.** each designated Voting Period for the purpose of conducting local, state and national elections as needed, provided however, that the times will be adjusted accordingly in the event the Polling Place remains open past 7:00 P.M. for reasons described in Section 1 of this Agreement.

**Voting Period:**  
 Owner will supply **two 8 foot tables and eight chairs.**  
 Facility cannot supply tables or chairs.

**Voting Period Access:**  
 Owner will open Polling Place by **9:00 A.M.**

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City

No less than 72 hours prior to the designated Voting Period, Owner will provide County with a key, entry combination or other similar access to the Premises.

Parking Spaces:

Owner will provide and reserve at least 3 additional non-curbside parking spaces for voters only.  
 Owner cannot provide and reserve additional non-curbside parking spaces for voters.

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City  
ATTACHMENT 2

Type of Election: **May 2024 Primary Runoff Election**  
Early Voting Period #1: **Monday, May 20, 2024 through Friday May 24, 2024**  
Hours of Voting #1: **10:00 A.M. – 7:00 P.M.**

The following persons are designated as the Owner's contacts to assure access to the premises on the applicable equipment delivery dates, Voting Period and election equipment pick-up dates:

Premises Entity: **Town of Horizon City**  
Physical Polling Location: **Oz Glaze Senior Center**  
Physical Polling Location Address: **13969 Veny Webb St., Horizon City, Texas 79928**

Primary Contact & Title: **Elvia Schuller, City Clerk**  
Email Address: **Eschuller@horizoncity.org**  
Phone Number: **915-852-1046**  
Cell Phone Number: **915-867-8006**

Secondary Contact & Title: **Danny Serrano, Building Official**  
Email Address: **dserrano@horizoncity.org**  
Phone Number: **915-852-1046**  
Cell Phone Number: **915-630-8525**

Emergency contact for Voting Period. Emergency contact will be available between 6:00 A.M. and approximately 11:00 P.M. on Election Day.

Emergency Contact & Title: **Elvia Schuller, City Clerk**  
Email Address: **Eschuller@horizoncity.org**  
Phone Number: **915-852-1046**  
Cell Phone Number: **915-867-8006**

Owner shall provide (specify room): **Main Dining Room** as the Polling Place. Election Equipment will be delivered to storage area (if different from Polling Place above): \_\_\_\_\_ on the **Wednesday, May 15, 2024 through Friday, May 17, 2024** between the hours of 8:00 A.M. to 5:00 P.M.

County will have access to the Polling Place by way of the Premises from **9:00 A.M. until 8:00 P.M.** each designated Voting Period for the purpose of conducting local, state and national elections as needed, provided however, that the times will be adjusted accordingly in the event the Polling Place remains open past 7:00 P.M. for reasons described in Section 1 of this Agreement.

Voting Period:  
 Owner will supply **two 8 foot tables and eight chairs.**  
 Facility cannot supply tables or chairs.

Voting Period Access:  
 Owner will open Polling Place by **9:00 A.M.**  
 No less than 72 hours prior to the designated Voting Period, Owner will provide County with a key, entry combination or other similar access to the Premises.

Parking Spaces:  
 Owner will provide and reserve at least 3 additional non-curbside parking spaces for voters only.  
 Owner cannot provide and reserve additional non-curbside parking spaces for voters.

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City  
ATTACHMENT 3

**Type of Election:** May 2024 Uniform Election  
**Early Voting Period #1:** Monday, April 22, 2024 through Friday April 26, 2024  
**Hours of Voting #1:** 10:00 A.M. – 7:00 P.M.  
**Early Voting Period #2:** Saturday, April 27, 2024 and Sunday, April 28, 2024  
**Hours of Voting #2:** 12:00 P.M. – 5:00 P.M.  
**Early Voting Period #3:** Monday, April 29, 2024 and Tuesday April 30, 2024  
**Hours of Voting #3:** 10:00 A.M. – 7:00 P.M.

The following persons are designated as the Owner's contacts to assure access to the premises on the applicable equipment delivery dates, Voting Period and election equipment pick-up dates:

**Premises Entity:** Town of Horizon City  
**Physical Polling Location:** Oz Glaze Senior Center  
**Physical Polling Location Address:** 13969 Veny Webb St., Horizon City, Texas 79928

**Primary Contact & Title:** Elvia Schuller, City Clerk  
**Email Address:** Eschuller@horizoncity.org  
**Phone Number:** 915-852-1046  
**Cell Phone Number:** 915-867-8006

**Secondary Contact & Title:** Danny Serrano, Building Official  
**Email Address:** dserrano@horizoncity.org  
**Phone Number:** 915-852-1046  
**Cell Phone Number:** 915-630-8525

**Emergency contact for Voting Period. Emergency contact will be available between 6:00 A.M. and approximately 11:00 P.M. on Election Day.**  
**Emergency Contact & Title:** Elvia Schuller, City Clerk  
**Email Address:** Eschuller@horizoncity.org  
**Phone Number:** 915-852-1046  
**Cell Phone Number:** 915-867-8006

Owner shall provide (specify room): Main Dining Room as the Polling Place. Election Equipment will be delivered to storage area (if different from Polling Place above): \_\_\_\_\_ between the dates of **Wednesday, April 17, 2024 through Friday, April 19, 2024** between the hours of 8:00 A.M. to 5:00 P.M.

County will have access to the Polling Place by way of the Premises from **9:00 A.M. until 8:00 P.M.** each designated Voting Period for the purpose of conducting local, state and national elections as needed, provided however, that the times will be adjusted accordingly in the event the Polling Place remains open past 7:00 P.M. for reasons described in Section 1 of this Agreement.

**Voting Period:**  
 **Owner will supply two 8 foot tables and eight chairs.**  
 Facility cannot supply tables or chairs.

**Voting Period Access:**  
 Owner will open Polling Place by **9:00 A.M.**  
 No less than 72 hours prior to the designated Voting Period, Owner will provide County with a key, entry combination or other similar access to the Premises.

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City

Parking Spaces:

Owner will provide and reserve at least 3 additional non-curbside parking spaces for voters only.  
 Owner cannot provide and reserve additional non-curbside parking spaces for voters.

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City  
ATTACHMENT 4

**Type of Election:** June 2024 Runoff Election  
**Early Voting Period #1:** Monday, June 3, 2024 through Friday June 7, 2024  
**Hours of Voting #1:** 10:00 A.M. – 7:00 P.M.  
**Early Voting Period #2:** Saturday, June 8, 2024 and Sunday, June 9, 2024  
**Hours of Voting #2:** 12:00 P.M. – 5:00 P.M.  
**Early Voting Period #3:** Monday, June 10, 2024 and Tuesday June 11, 2024  
**Hours of Voting #3:** 10:00 A.M. – 7:00 P.M.

The following persons are designated as the Owner's contacts to assure access to the premises on the applicable equipment delivery dates, Voting Period and election equipment pick-up dates:

**Premises Entity:** Town of Horizon City  
**Physical Polling Location:** Oz Glaze Senior Center  
**Physical Polling Location Address:** 13969 Veny Webb St., Horizon City, Texas 79928

**Primary Contact & Title:** Elvia Schuller, City Clerk  
**Email Address:** Eschuller@horizoncity.org  
**Phone Number:** 915-852-1046  
**Cell Phone Number:** 915-867-8006

**Secondary Contact & Title:** Danny Serrano, Building Official  
**Email Address:** dserrano@horizoncity.org  
**Phone Number:** 915-852-1046  
**Cell Phone Number:** 915-630-8525

**Emergency contact for Voting Period. Emergency contact will be available between 6:00 A.M. and approximately 11:00 P.M. on Election Day.**

**Emergency Contact & Title:** Elvia Schuller, City Clerk  
**Email Address:** Eschuller@horizoncity.org  
**Phone Number:** 915-852-1046  
**Cell Phone Number:** 915-867-8006

Owner shall provide (specify room): Main Dining Room as the Polling Place. Election Equipment will be delivered to storage area (if different from Polling Place above): \_\_\_\_\_ between the dates of **Wednesday, May 29, 2024 through Friday, May 31, 2024** between the hours of 8:00 A.M. to 5:00 P.M.

County will have access to the Polling Place by way of the Premises from **9:00 A.M. until 8:00 P.M.** each designated Voting Period for the purpose of conducting local, state and national elections as needed, provided however, that the times will be adjusted accordingly in the event the Polling Place remains open past 7:00 P.M. for reasons described in Section 1 of this Agreement.

Voting Period:  
 **Owner will supply two 8 foot tables and eight chairs.**  
 Facility cannot supply tables or chairs.

Voting Period Access:  
 Owner will open Polling Place by **9:00 A.M.**

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City

No less than 72 hours prior to the designated Voting Period, Owner will provide County with a key, entry combination or other similar access to the Premises.

Parking Spaces:

Owner will provide and reserve at least 3 additional non-curbside parking spaces for voters only.  
 Owner cannot provide and reserve additional non-curbside parking spaces for voters.

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City  
ATTACHMENT 5

Type of Election: **November 2024 General Election**  
Early Voting Period #1: **Monday, October 21, 2024 through Friday October 25, 2024**  
Hours of Voting #1: **10:00 A.M. – 7:00 P.M.**  
Early Voting Period #2: **Saturday, October 26, 2024 and Sunday, October 27, 2024**  
Hours of Voting #2: **12:00 P.M. – 5:00 P.M.**  
Early Voting Period #3: **Monday, October 28, 2024 through Friday November 1, 2024**  
Hours of Voting #3: **10:00 A.M. – 7:00 P.M.**

The following persons are designated as the Owner's contacts to assure access to the premises on the applicable equipment delivery dates, Voting Period and election equipment pick-up dates:

Premises Entity: **Town of Horizon City**  
Physical Polling Location: **Oz Glaze Senior Center**  
Physical Polling Location Address: **13969 Veny Webb St., Horizon City, Texas 79928**

Primary Contact & Title: **Elvia Schuller, City Clerk**  
Email Address: **Eschuller@horizoncity.org**  
Phone Number: **915-852-1046**  
Cell Phone Number: **915-867-8006**

Secondary Contact & Title: **Danny Serrano, Building Official**  
Email Address: **dserrano@horizoncity.org**  
Phone Number: **915-852-1046**  
Cell Phone Number: **915-630-8525**

Emergency contact for Voting Period. Emergency contact will be available between 6:00 A.M. and approximately 11:00 P.M. on Election Day.

Emergency Contact & Title: **Elvia Schuller, City Clerk**  
Email Address: **Eschuller@horizoncity.org**  
Phone Number: **915-852-1046**  
Cell Phone Number: **915-867-8006**

Owner shall provide (specify room): **Main Dining Room** as the Polling Place. Election Equipment will be delivered to storage area (if different from Polling Place above): \_\_\_\_\_ on the **Wednesday, October 16, 2024 through Friday, October 18, 2024** between the hours of 8:00 A.M. to 5:00 P.M.

County will have access to the Polling Place by way of the Premises from **9:00 A.M. until 8:00 P.M.** each designated Voting Period for the purpose of conducting local, state and national elections as needed, provided however, that the times will be adjusted accordingly in the event the Polling Place remains open past 7:00 P.M. for reasons described in Section 1 of this Agreement.

Voting Period:  
 **X** Owner will supply **two 8 foot tables and eight chairs.**  
 Facility cannot supply tables or chairs.

Voting Period Access:  
 Owner will open Polling Place by **9:00 A.M.**

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City

No less than 72 hours prior to the designated Voting Period, Owner will provide County with a key, entry combination or other similar access to the Premises.

Parking Spaces:

Owner will provide and reserve at least 3 additional non-curbside parking spaces for voters only.  
 Owner cannot provide and reserve additional non-curbside parking spaces for voters.

Curbside Express Location:

Owner will reserve Curbside Express area for voters.  
 Owner cannot reserve Curbside Express area for voters.

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City  
ATTACHMENT 6

**Type of Election:** December 2024 Runoff Election  
**Early Voting Period #1:** Monday, December 2, 2024 through Friday December 6, 2024  
**Hours of Voting #1:** 10:00 A.M. – 7:00 P.M.  
**Early Voting Period #2:** Saturday, December 7, 2024 and Sunday, December 8, 2024  
**Hours of Voting #2:** 12:00 P.M. – 5:00 P.M.  
**Early Voting Period #3:** Monday, December 9, 2024 and Tuesday December 10, 2024  
**Hours of Voting #3:** 10:00 A.M. – 7:00 P.M.

The following persons are designated as the Owner’s contacts to assure access to the premises on the applicable equipment delivery dates, Voting Period and election equipment pick-up dates:

**Premises Entity:** Town of Horizon City  
**Physical Polling Location:** Oz Glaze Senior Center  
**Physical Polling Location Address:** 13969 Veny Webb St., Horizon City, Texas 79928

**Primary Contact & Title:** Elvia Schuller, City Clerk  
**Email Address:** Eschuller@horizoncity.org  
**Phone Number:** 915-852-1046  
**Cell Phone Number:** 915-867-8006

**Secondary Contact & Title:** Danny Serrano, Building Official  
**Email Address:** dserrano@horizoncity.org  
**Phone Number:** 915-852-1046  
**Cell Phone Number:** 915-630-8525

**Emergency contact for Voting Period.** Emergency contact will be available between 6:00 A.M. and approximately 11:00 P.M. on Election Day.

**Emergency Contact & Title:** Elvia Schuller, City Clerk  
**Email Address:** Eschuller@horizoncity.org  
**Phone Number:** 915-852-1046  
**Cell Phone Number:** 915-867-8006

Owner shall provide (specify room): Main Dining Room as the Polling Place. Election Equipment will be delivered to storage area (if different from Polling Place above): \_\_\_\_\_ on the **Monday, November 25, 2024, Tuesday, November 26, 2024 or Wednesday, November 27, 2024** between the hours of 8:00 A.M. to 5:00 P.M.

County will have access to the Polling Place by way of the Premises from **9:00 A.M. until 8:00 P.M.** each designated Voting Period for the purpose of conducting local, state and national elections as needed, provided however, that the times will be adjusted accordingly in the event the Polling Place remains open past 7:00 P.M. for reasons described in Section 1 of this Agreement.

**Voting Period:**  
 **X** Owner will supply **two 8 foot tables and eight chairs.**  
 Facility cannot supply tables or chairs.

**Voting Period Access:**  
 Owner will open Polling Place by **9:00 A.M.**

2024 POLLING PLACE AGREEMENT Between El Paso County and Town of  
Horizon City

No less than 72 hours prior to the designated Voting Period, Owner will provide County with a key, entry combination or other similar access to the Premises.

Parking Spaces:

Owner will provide and reserve at least 3 additional non-curbside parking spaces for voters only.

Owner cannot provide and reserve additional non-curbside parking spaces for voters.





**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** February 13, 2024

**To:** Honorable Mayor and Members of City Council

**From:** Art Rubio, Planner

**SUBJECT:** On a **Specific Use Permit** application (**Case No. ZSP24-0001**) for Retail use on a property located at 3150 Darrington Rd., legally described as A Portion of Lot 3, Block 2, Horizon Industrial Park Subdivision, Town of Horizon City, El Paso County, Texas. Containing 1-acre +/- Application submitted by Jerry Nava.

---

The Planning and Zoning Commission will be reviewing Specific Use Permit to allow for retail store use, a C-1 (General Commercial) use in an M-1 (Light Industrial) zoning district located at 351 Darrington Rd. on February 12, 2023.

The Vision 2020 - Future Land Use Map designates this area as commercial. The area expresses aspirations for a blend between Light and Heavy Commercial zones and uses. Uses are described as retail, offices, business, personal and professional services, restaurants, banks and financial institutions, doctor, dentist and other medical offices, and related accessory and ancillary uses.

There are existing similar existing uses in the area and the property's main access is from a major arterial roadway.

Staff did not receive any correspondence in support of or opposition of the request and recommend approval of the SUP.



**TOWN OF HORIZON CITY**  
**Planning and Zoning Commission Staff Report**

**Case No.:** ZSP24-0001  
**Application Type:** Specific Use Permit (SUP)  
**P&Z Hearing Date:** February 12, 2024  
**Staff Contact:** Art Rubio, Planner  
 915-852-1046 ext. 407; [arubio@horizoncity.org](mailto:arubio@horizoncity.org)

**Address/Location:** 351 Darrington Rd., Horizon City, TX 79928  
**Legal Description:** A Portion of Lot 3, Block 2, Horizon Industrial Park Subdivision, Town of Horizon City, El Paso County, Texas  
**Acreage:** 1-acre ±  
**Existing Use:** Existing Building  
**Existing Zoning:** M-1 (Light Manufacturing)  
**Request:** SUP for C-1 use in an M-1 zone to allow for retail store  
**Owner:** TRU Investments LLC  
**Applicant:** Jerry Nava

**Surrounding Zoning and Land Use:**

		Land Use
<b>N</b>	M-1 (Light Industrial)	Warehousing
<b>E</b>	C-1 (General Commercial)	Vacant
<b>S</b>	M-1 (Light Industrial)	Warehousing
<b>W</b>	M-1 (Light Industrial)	Warehousing

**LAND USE AND ZONING:**

	Existing	Proposed
<b>Land Use</b>	Existing Vacant Building	Retail Store
<b>Zoning</b>	M-1 (Light Industrial)	SUP for C-1 Use

**F/L/Use Designation:** Commercial  
**Nearest Park:** Golden Eagle Park  
**Nearest School:** Desert Hills Elementary School

**Application Description:**

The applicant is requesting a Specific Use Permit to allow for Retail Store use on a property zoned M-1 (Light Industrial). The proposed use is considered commercial in the City's Municipal Code's Zoning Ordinance. Section 703.3 Uses by Special Use Permit, allow for C-1 and C-2 commercial uses with the approval of an SUP. As a result, the applicant is requesting a Specific Use Permit to allow for C-1 (General Commercial) use on a property that is zoned M-1 (Light Industrial).

**Notice:**

In accordance with Section 211.007 of the Texas Local Government Code, notices of the February 12, 2024, public hearing were mailed to those property owners within 200 feet of the subject property on January 25, 2024, and posted in the El Paso Times newspaper on January 29, 2024.

**Staff Recommendation:**

Staff recommends approval of the request for a Specific Use Permit for retail store use, a C-1 (General Commercial) zoning district use in an M-1 (Light Industrial) zoning district.

Section 703.3 of the Horizon City Municipal Code of Ordinance allows for C-1 and C-2 uses to be in an M-1 zone with a specific use permit approval recommendation for consideration by the planning and Zoning Commission and approval by the City Council. The proposed use is compatible with Vision 2030-Future Land Use Map Designation and surrounding areas.

**Planning Comments:**

The proposed use is compatible with surrounding uses to include retail, warehousing and truck transportation in the area.

**Vision 2030 – Future Land Use Map Designation:**

The Future Land Use Map designates this area as commercial. The area expresses aspirations for a blend between Light and Heavy Commercial zones and uses. Uses are described as retail, offices, business, personal and professional services, restaurants, banks and financial institutions, doctor, dentist and other medical offices, and related accessory and ancillary uses.

**Options available to the Planning and Zoning Commission:**

The Planning and Zoning Commission may consider the following options and additional requirements that it identifies when reviewing this Specific Use Permit application:

1. Recommend approval of the request for Specific Use Permit in an M-1 Zoning District as stated.
2. Recommend approval of the request for Specific Use Permit in an M-1 Zoning District as stated, including any modifications to bring the Specific Use Permit into conformance with the Zoning Ordinance and the Vision 2030: Comprehensive and Strategic Plan.
3. Recommend denial of the Applicant's request for Specific Use Permit finding that it is not in conformance with the Zoning Ordinance and/or the Vision 2030: Comprehensive and Strategic Plan.
4. Recommend a set postponement should the Commission determine it is not prepared to make a final recommendation, the applicant requests a postponement or if the Commission needs additional information to make a final recommendation.

**Attachments:**

**Attachment 1 – Zoning Map**

**Attachment 2 – Aerial**

**Attachment 3 – Vision 2030 – Future Land Use Map Designation**

**Attachment 4 – Site Plan**

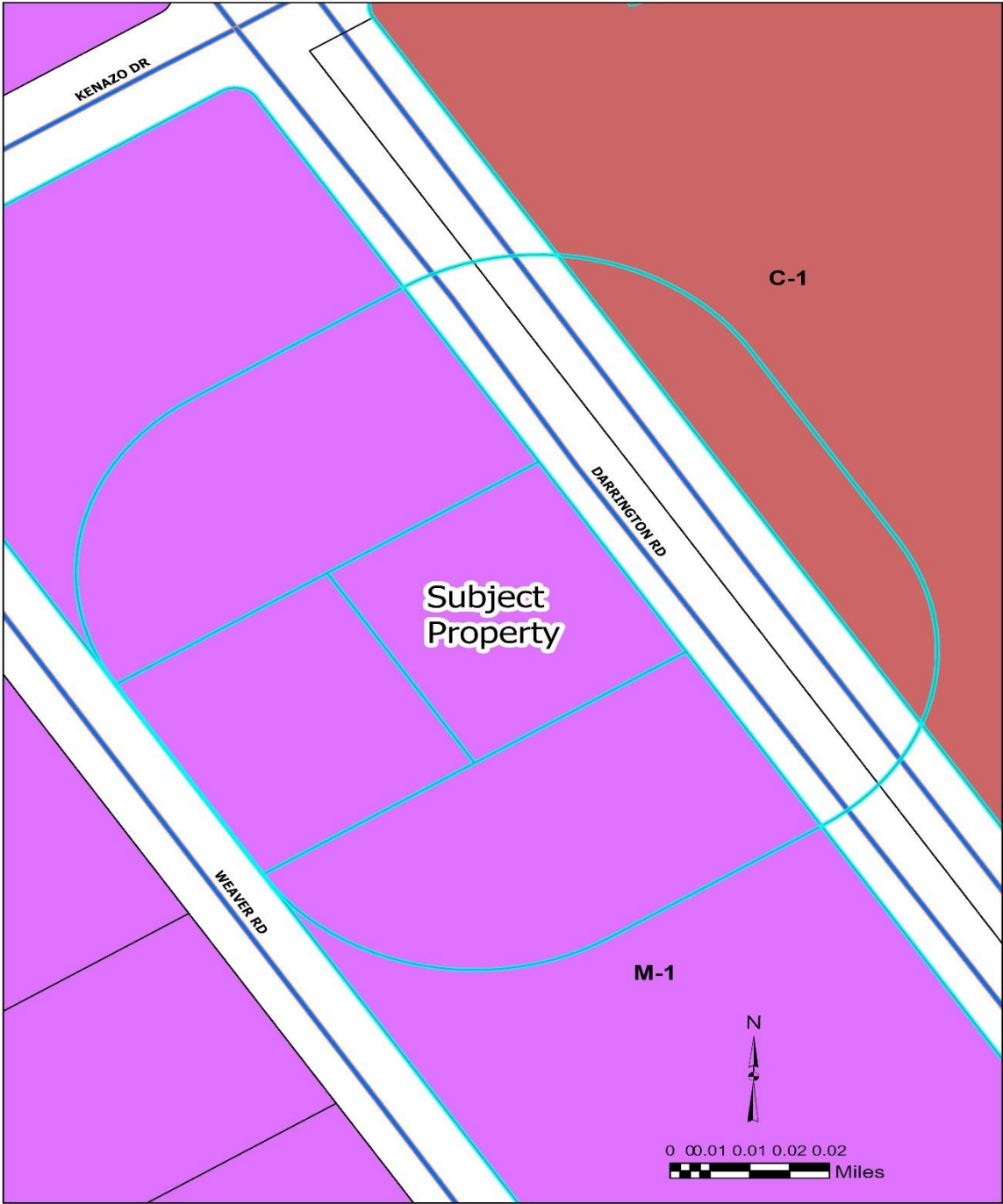
**Attachment 5 – Subdivision Plat**

**Attachment 6 – Letter to Board**

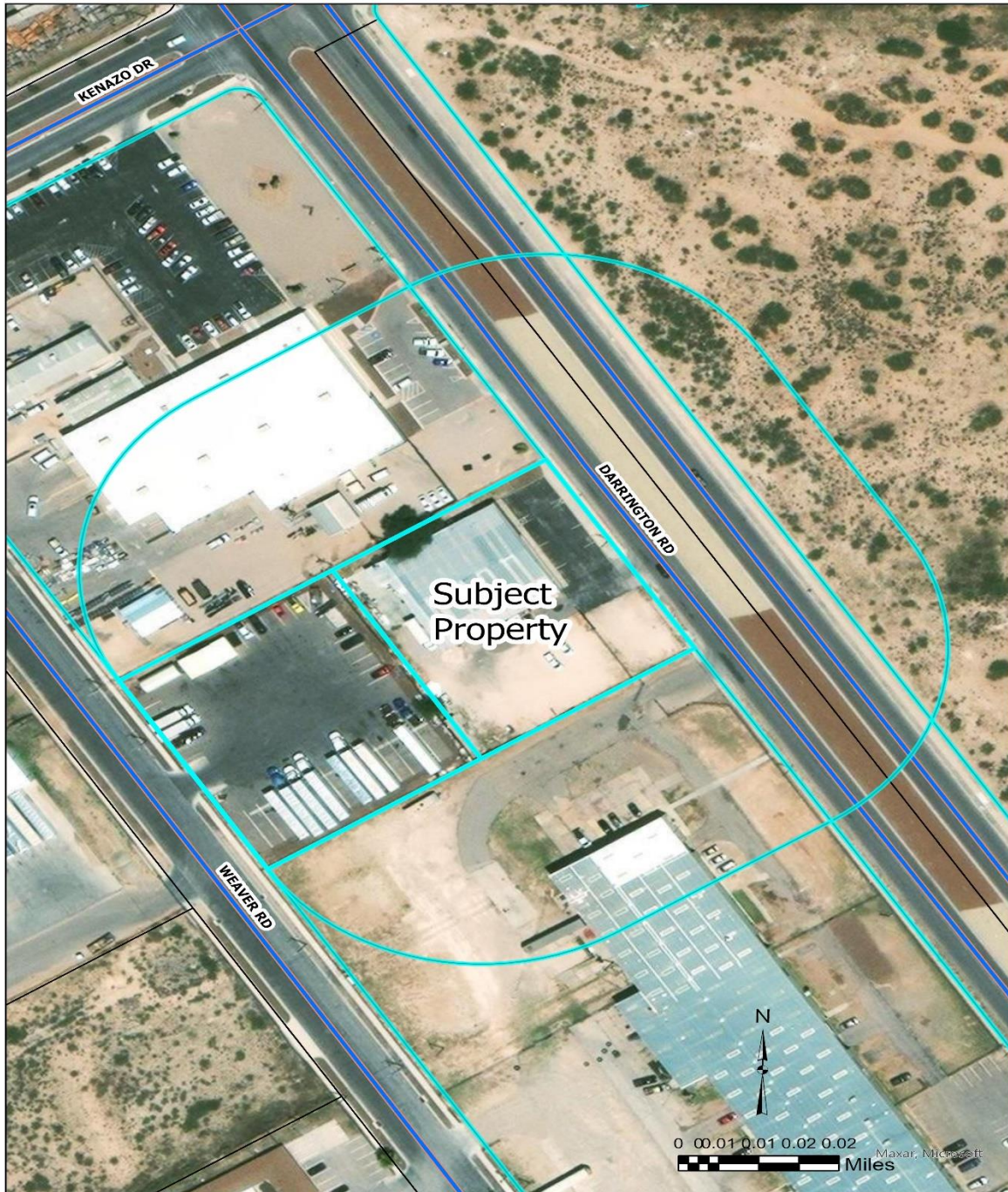
**Attachment 7 – Application**

Attachment 1: Zoning Map

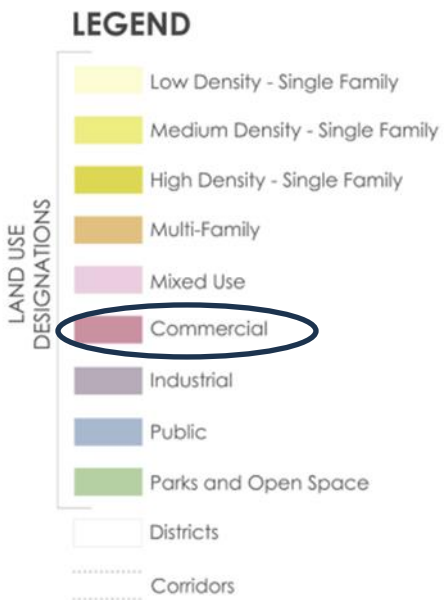
**Planning & Zoning Commission  
Specific Use Permit  
Retail Use in M-1 Zoning District**



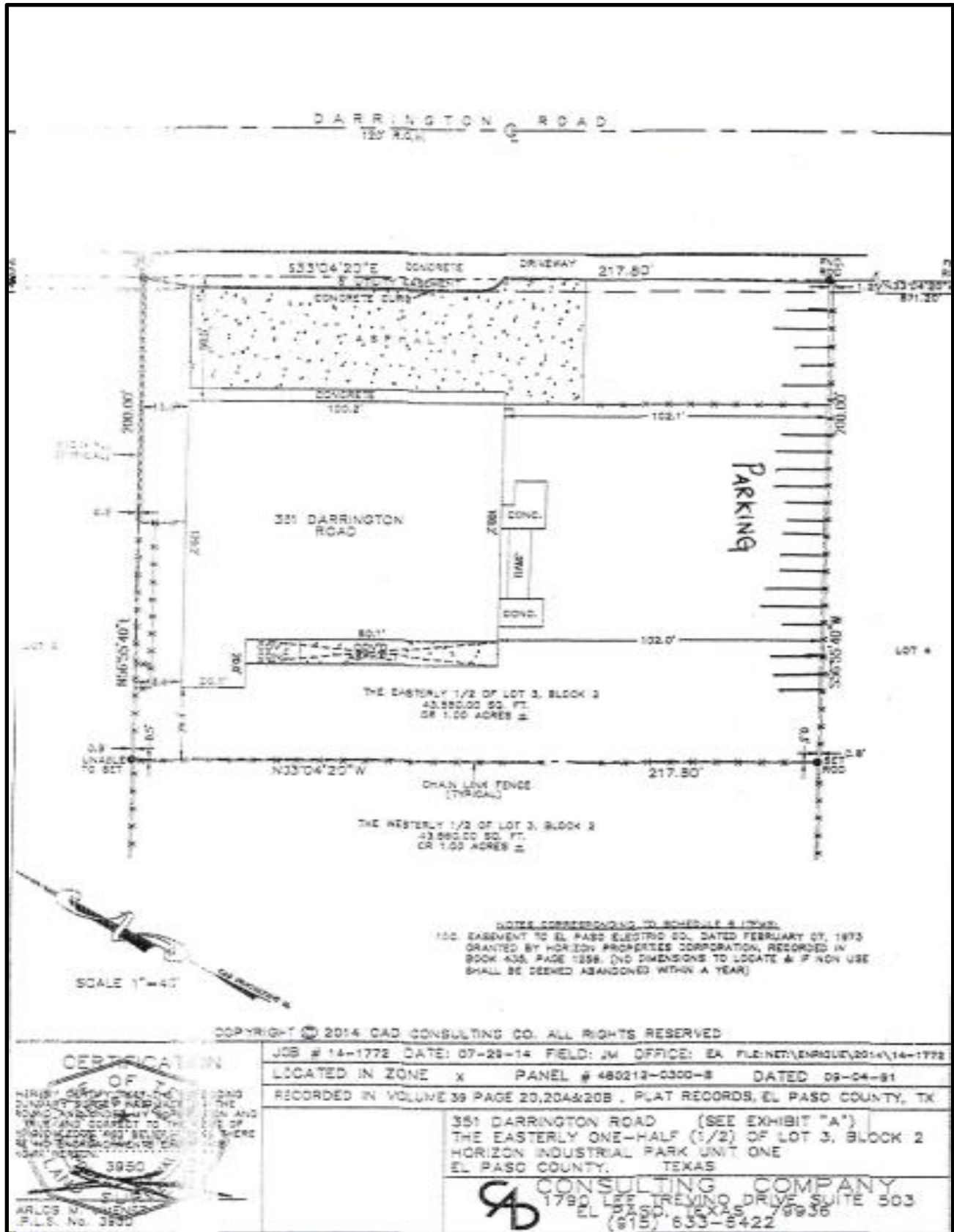
**Planning & Zoning Commission  
Specific Use Permit  
Retail Use in M-1 Zoning District**



**Attachment 3: Vision 2030 – Future Land Use Map Designation**



**Attachment 4 - Site Plan**





**Attachment 6: Letter to Commission**

January 31, 2024

Specific Use Permit Narrative

Project:     Ace Hardware  
              351 Darrington Rd.  
              Horizon City, TX 79928

ABN Texas Hardware inc. is requesting specific use permit review and approval for a proposed ACE Hardware located at 351 Darrington, Horizon City, TX 79928. The property is zoned M-1 and the proposed use to C-1 for Hardware retail.

Jerry Nava  
915-300-1823  
Socorro Ace Hardware  
10600 N. Loop suite F  
Socorro, TX 79927

**Attachment 7: Application**



**TOWN OF HORIZON CITY**  
 14999 Darrington Road  
 Horizon City, Texas 79928  
 Phone 915-852-1046 Fax 915-852-1005

**SPECIFIC USE PERMIT APPLICATION**

1. Property Owner of Record: TRU Investments LLC  
805 Forest Willow Cir. El Paso Tx 79922 9157406031 barbara.truaxe.borderpost@trulife.com  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant \_\_\_\_\_ Is applicant also the Owner?  Yes  No  
 Contact Person \_\_\_\_\_ Is applicant also the Contractor?  Yes  No  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

3. Contractor \_\_\_\_\_  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

4. Site Address/Location 351 S. Darrington Rd Horizon City, TX 79928  
 Legal Description: 2 Horizon Industrial Park E 1/2 of Lot 3  
(Lot) (Block) (Subdivision Name)

If the legal description of the complete tracts or if plat is not available, the required Metes & Bounds Description with a survey map is attached?  Yes  No

5. Briefly explain why you request a Specific Use Permit? \_\_\_\_\_

6. Land's Presents Use: vacant building Zone \_\_\_\_\_  
 Land Vacant  Lot size 1 AC. Structure  Structure's size 10,400 sq ft Last known date the structure was occupied? \_\_\_\_\_  
 Land's Proposed Use: \_\_\_\_\_ Proposed Zone Use \_\_\_\_\_  
 Will you be making any improvements to the existing lot or structure?  Yes  No This request includes Site Improvements for approval?  Yes  No

**Building Official Findings & Pre Licensing Consultation for Non-Conforming Use & Site Improvements**

7. Non-Conforming use of a lot, uses, land & structures, uses of structures, premises & characteristics of use or site improvements, necessitates that the applicant and/or contractor consult with the Town's Building Official on the proposed project & Business to discuss any requirements for this request.

A field inspection on (date) \_\_\_\_\_ determined the lot is:  Not Applicable  Legal Non-Conforming  Non-Conforming and Requires the following: \_\_\_\_\_

\_\_\_\_\_  
 Building Official Signature Date

Schedule appointment with Building Official

**NOTICE:** Applicant is responsible for all expenses incurred by the City in connection with the Specific Use Permit Application request, including but not limited to attorney's fees, engineering fees and publication. Additional charges will be invoiced separately and shall be paid to the Town prior to City Council action. Applicant's Signature \_\_\_\_\_

8. Signatures: [Signature]  
(OWNER'S SIGNATURE)

\_\_\_\_\_  
(APPLICANT'S SIGNATURE)

Barbara Truaxe - TRU Investments, LLC.  
(OWNER'S PRINTED NAME)

\_\_\_\_\_  
(APPLICANT'S PRINTED NAME)

**FEES:**

<b>EL PASO TIMES PUBLISHING FEE</b>	<b>APPROXIMATELY \$460</b>
<b>ENGINEER FEES if Applicable</b>	<b>\$60 PER EACH 1/2 HOUR</b>

Application & Submittals Due Date: \_\_\_\_\_  
 P&Z Scheduled Mtg. Date: \_\_\_\_\_  
 City Council Scheduled Date: \_\_\_\_\_  
 Application Received By: \_\_\_\_\_  
 Date Application Rec'd: \_\_\_\_\_

**Please see reverse side for list of items required at time of submitting SUP application.**





**TOWN OF HORIZON CITY  
MEMORANDUM**

**Date:** February 13, 2024  
**To:** Honorable Mayor and Members of City Council  
**From:** Art Rubio, Planner  
**SUBJECT:** **2nd Reading of Ordinance No. \_\_\_\_\_**, An Ordinance adopting a zoning change within the municipal limits of the Town of Horizon City, Texas; rezoning one parcel from C-1 (General Commercial) to C-2 (Heavy Commercial); containing approximately 6.634 acres; Being Lot 1, Block 3, Kenazo Estates Unit Two, Town of Horizon City, El Paso County, Texas; South of Eastlake Blvd. and East of Kenazo Dr., and authorizing the notation of the change on the official zoning map of the town; providing for the following: findings of fact; repealer; severability; and proper notice and hearing.

---

The Planning and Zoning Commission will review the rezoning request on February 12, 2024.

The applicant's request is to rezone the property to C-2 (Heavy Commercial) zoning district to allow for commercial uses currently not permitted or requiring a Specific Use Permit, the proposed uses will provide goods and services needed by the community. Staff recommendation to the Planning and Zoning Commission is for approval, based on compatibility with surrounding properties to the west and southwest of the subject property.

Attached for your review are the draft Ordinances and the consolidated and revised staff report that was presented to the Planning and Zoning Commission.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM C-1 (GENERAL COMMERCIAL) TO C-2 (HEAVY COMMERCIAL); CONTAINING APPROXIMATELY 6.634 ACRES; BEING LOT 1, BLOCK 3, KENAZO ESTATES UNIT TWO, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS; SOUTH OF EASTLAKE BLVD AND EAST OF KENAZO AVE; AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE TOWN; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; AND PROPER NOTICE AND HEARING.**

**WHEREAS**, an application was made to change a designated zone for a parcel of property as identified herein within the municipal limits of the Town of Horizon City; and

**WHEREAS**, said application was forwarded to and considered by the Town of Horizon City Planning and Zoning Commission; and

**WHEREAS**, the Planning and Zoning Commission has complied with all state and local laws affecting the changing of zones and held a public hearing to obtain public comments; and

**WHEREAS**, the Planning and Zoning Commission has recommended that the zoning on the parcel of property be rezoned to C-2 (Heavy Commercial) Zoning District; and

**WHEREAS**, the City Council of the Town of Horizon City ("Town Council") seeks to promote safe, orderly and consistent use and development of real property; and

**WHEREAS**, the notice required by the Texas Local Government Code has been published in the official newspaper and given to adjacent property owners; and

**WHEREAS**, public hearings have been held by the Town Council as required by law; and

**WHEREAS**, all written and oral protests (if any) submitted against the proposed zoning change have been reviewed and considered; and

**WHEREAS**, the Town Council in its decision for rezoning finds that such rezoning is in the public interest of the Town of Horizon City, Texas; and

**WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the Town has general authority to adopt an ordinance or police regulation that is for the good

government, peace or order of the Town and is necessary or proper for carrying out a power granted by law to the Town; and

**WHEREAS,** pursuant to Texas Local Government Code Chapter 211, the Town is authorized to promulgate and enforce zoning regulations; and

**WHEREAS,** the Town Council finds that it is necessary and proper for the good government, peace, and order of the Town of Horizon City to adopt this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS. THAT:**

### **I. REZONING**

The zoning be changed from C-1 (General Commercial) to C-2 (Heavy Commercial) Zoning District within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 6.634 acres, more or less, and legally described by Plot Plan, Exhibit "A" attached hereto and by reference included herein:

### **II. ZONING MAP**

The zoning map for the Town of Horizon City shall be modified to include the zoning changes directed by this ordinance.

### **III. FINDINGS OF FACT**

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

### **IV. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

### **V. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with

jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**VI. PROPER NOTICE AND MEETING**

It is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52, Texas Local Government Code.

**PASSED AND APPROVED this the \_\_\_ day of \_\_\_\_\_, 2024, by a vote of \_\_\_ (ayes) to \_\_\_ (nays) to \_\_\_ (abstentions) of the Town Council of Horizon City, Texas.**

Town of Horizon City

By: \_\_\_\_\_  
Andres Renteria, Mayor

ATTEST:

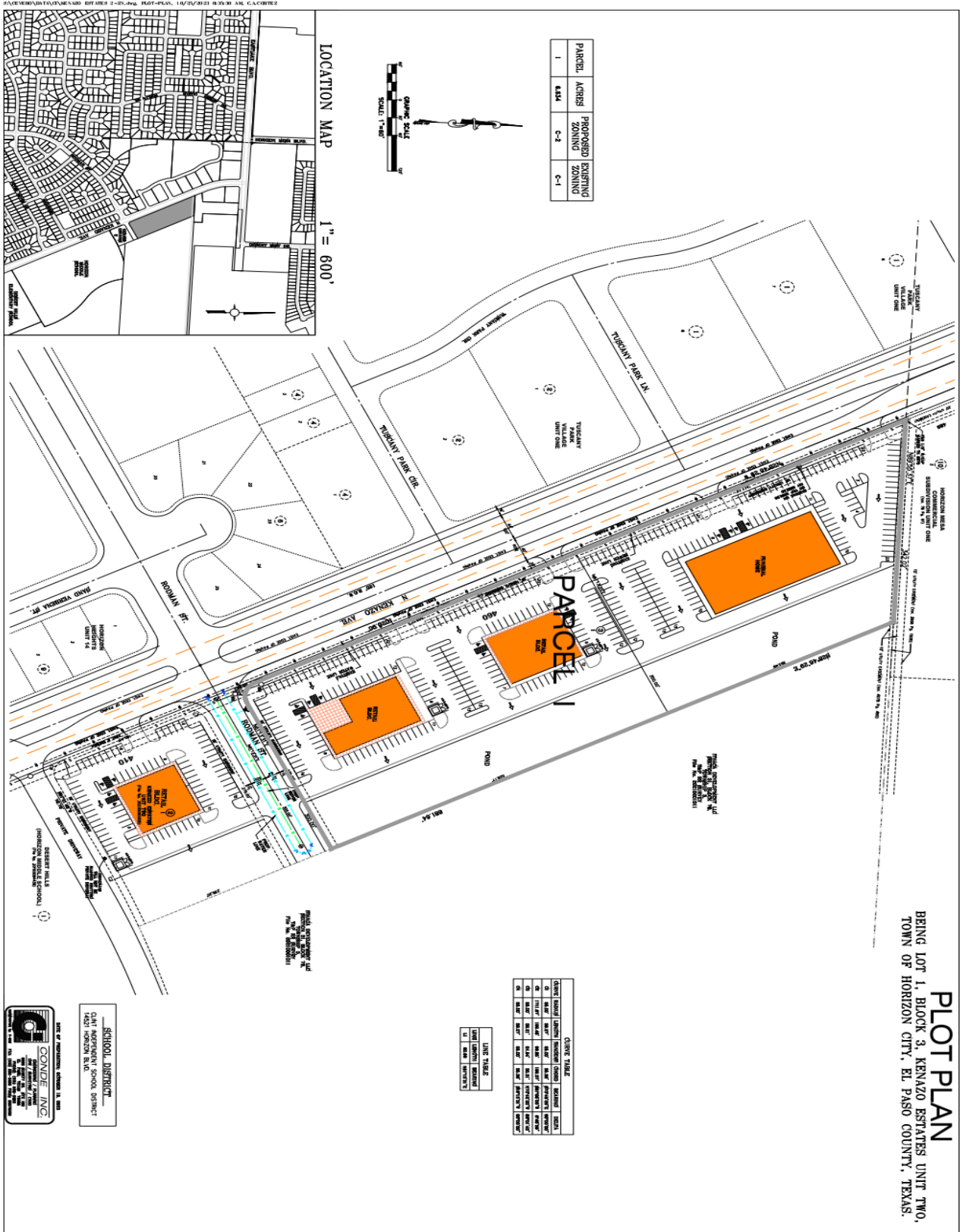
By: \_\_\_\_\_  
Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Sylvia Borunda Firth, City Attorney

First Reading: 12/12/2023  
Second Reading: 02/13/2024

# EXHIBIT "A"





**TOWN OF HORIZON CITY  
Planning and Zoning Commission Staff Report**

**Case No.:** ZRZ23-0001 **Revised**

**Application Type:** **Rezoning (Postponed from the Nov. 20, 2023, Dec. 18, 2023, Jan. 15, 2024, to the Feb. 12, 2024, P&Z Meeting)**

**P&Z Hearing Date:** November 20, 2023

**Staff Contact:** Art Rubio, Planner  
915-852-1046 ext. 407; [arubio@horizoncity.org](mailto:arubio@horizoncity.org)

**Address/Location:** 460 Kenazo Dr.; South of Eastlake Blvd. and East of Kenazo Dr.

**Property ID No.:**

**Legal Description:** Lot 1, Block 3, Kenazo Estates Unit 2, Town of Horizon City, El Paso County, Texas

**Property Owner(s):** Pebble Hills Plaza, LTD

**Applicant:** Conde Inc.

**Nearest Park:** Horizon Mesa

**Nearest School:** Horizon Middle School & Dessert Hills Elementary (CISD)

**SURROUNDING PROPERTIES:**

	<b>Zoning</b>	<b>Land Use</b>
<b>N</b>	C-1 (Commercial)	Vacant
<b>E</b>	PUD (Planned Unit Development)	Vacant
<b>S</b>	PUD (Planned Unit Development)	School & Commercial Sites
<b>W</b>	C-2 (Commercial) & A-1 (Apartment)	Vacant

**LAND USE AND ZONING:**

	<b>Existing</b>	<b>Proposed</b>
<b>Land Use</b>	Vacant	Commercial
<b>Zoning</b>	C-1	C-2

**Application Description:**

The applicant is requesting to rezone approximately 6.634 of land that is currently vacant. The subject property is currently zoned C-1 (General Commercial) and is proposed to be rezoned as C-2 (Heavy Commercial) to allow for the following uses that would not be permitted on C-1 or would require a Specific Use Permit:

1. Funeral Home (without crematorium)
2. Service station (oil change and minor repair services).
2. Restaurant (deriving more than 75% of Gross Revenue from sale of alcoholic beverages).
3. Recreation and entertainment.
4. Self-storage warehouse.
5. Print and copy shop.
6. Private club/ lodge or meeting hall.

**Notice:**

In accordance with Section 211.007 of the Texas Local Government Code, notices of the November 20, 2023, December 18, 2023, January 15, 2024, and February 12, 2024, public hearing for the rezoning request were sent to those property owners within 200 feet of the subject property 15 days prior to each meeting, then posted in the El Paso Times Newspaper 15 days prior to each meeting. In addition, the applicant is required to erect signs notifying the public of the proposed rezoning on the site proposed for rezoning fifteen (15) days prior to the Planning and Zoning Commission public hearing. Staff has confirmed that the sign has been up 15 days prior to the P&Z public hearing.

**Shaping Our Horizon:2030 A Comprehensive and Strategic Plan – Future Land Use Map Designation:**

Horizon City Shaping Our Horizon: 2030 Comprehensive and Strategic Plan designates this property as Multi-Family. There are existing C-2 zoned properties to the west and north of the subject property. Portions of the Multi-Family designated area have transitioned to C-2 zoning district to the north and west of the subject property.

**Staff Recommendation:**

Staff recommends **APPROVAL** of the zone change from C-1 to C-2 in support of a variety of commercial uses proposed as those services and goods are needed in the community. The subject property is located adjacent to a major arterial and compatible C-2 commercial zoning districts to the north, west, and south of the subject property.

**Planning Division Comments:**

If the zone change is approved and the applicant chooses to install a crematorium, approval of a Specific Use Permit would be required.

**Options available to the Planning and Zoning Commission:**

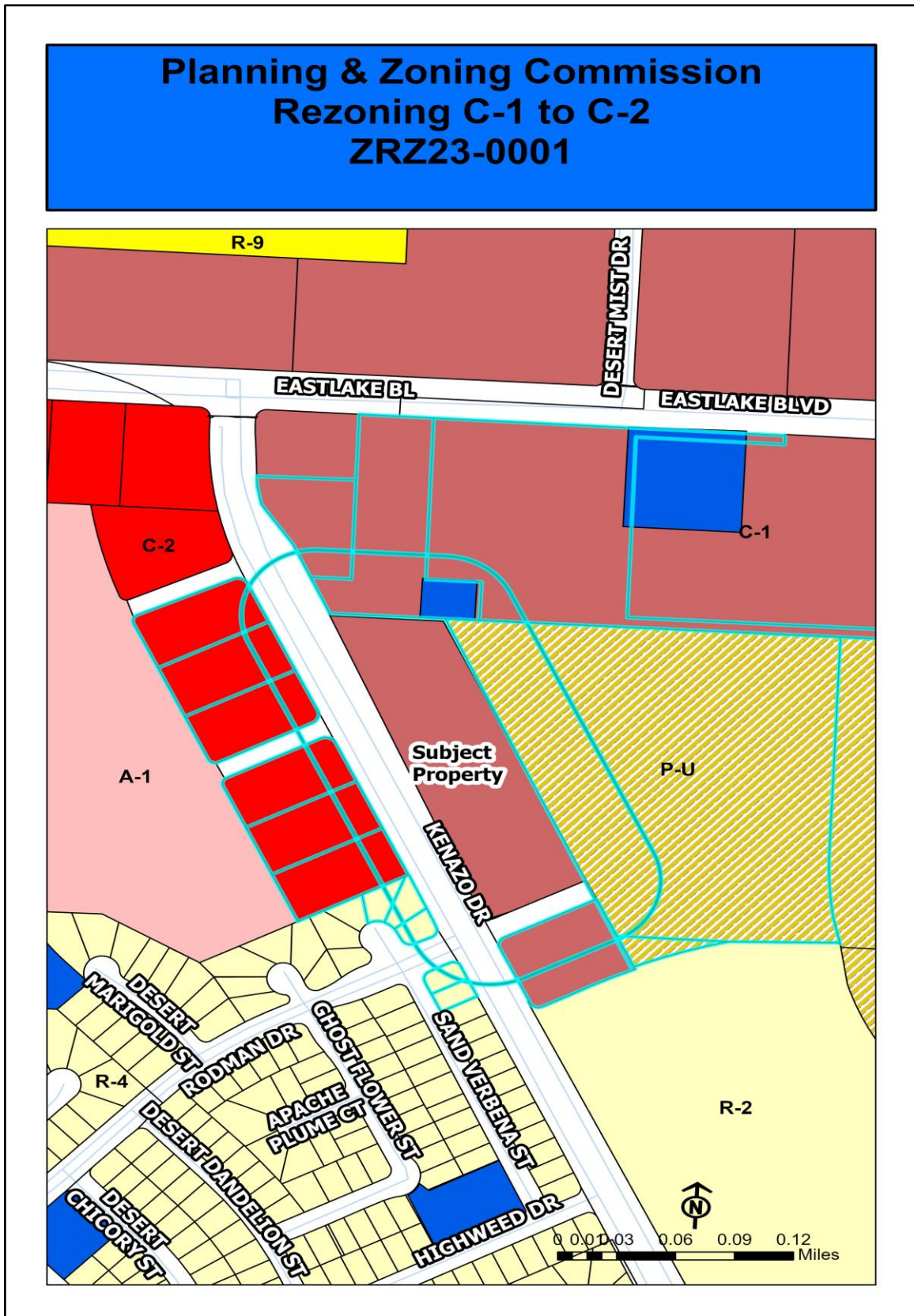
The Planning and Zoning Commission may consider the following options and additional requirements that it identifies when reviewing this Rezoning application:

1. Recommend approval of the request for a rezoning to C-2 Zoning District as stated.
2. Recommend approval of the request for rezoning as stated, including any modifications to bring the rezoning into conformance with the Zoning Ordinance and the Vision 2030: Comprehensive and Strategic Plan.
3. Recommend denial of the Applicant's request for rezoning finding that it is not in conformance with the Zoning Ordinance and/or the Vision 2030: Comprehensive and Strategic Plan.
4. Recommend a set postponement should the Commission determine it is not prepared to make a final recommendation, the applicant requests a postponement or if the Commission needs additional information to make a final recommendation.

**Attachments:**

- 1 - Zoning Designation Map**
- 2 – Aerial Map**
- 3 - Future Land Use Map (Comp Plan)**
- 4 – Zoning Plan**
- 5 – Plot Plan**
- 6 – Application**

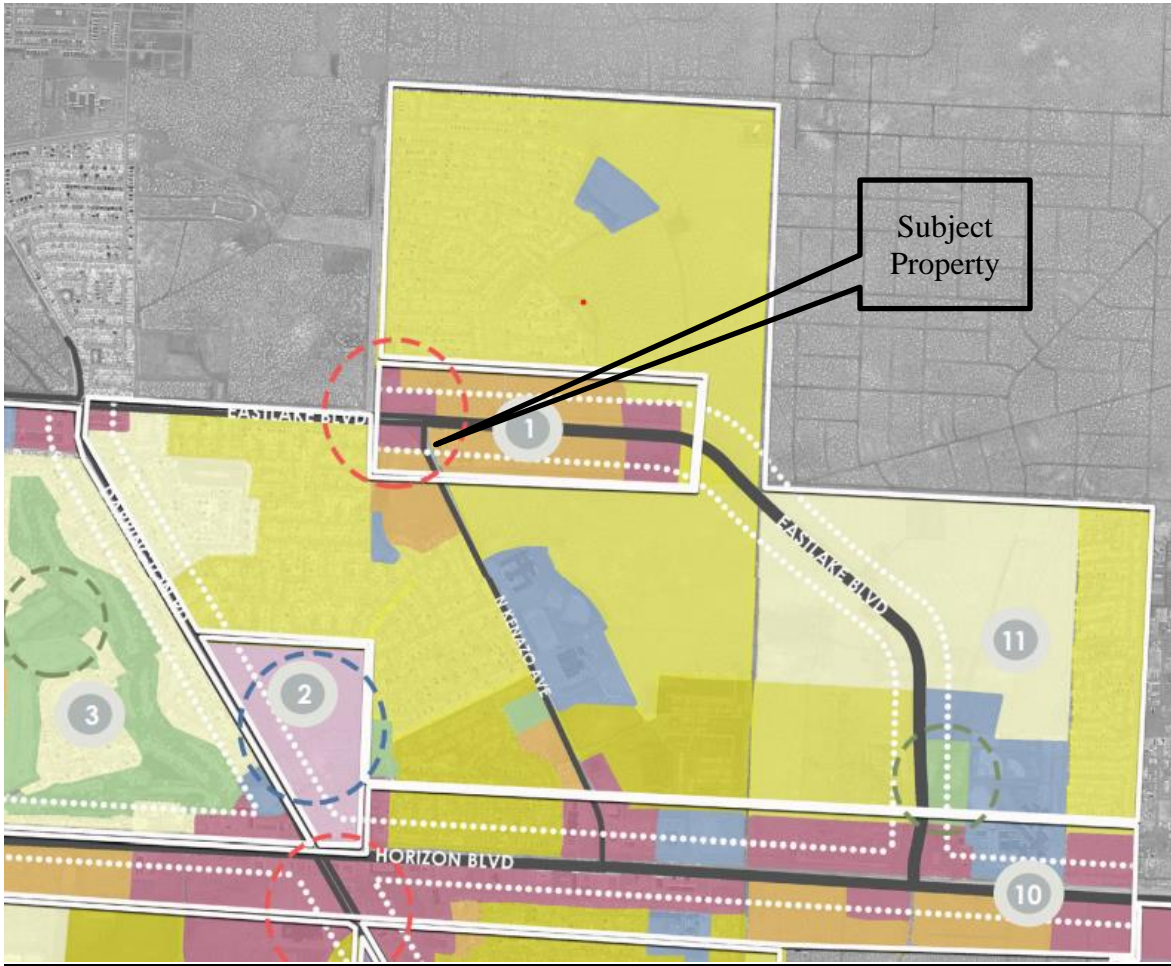
Attachment 1: Zoning Designation



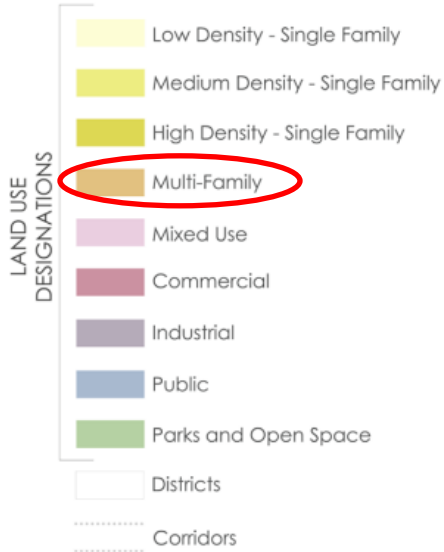
**Planning & Zoning Commission  
Rezoning C-1 to C-2  
ZRZ23-0001**



**Attachment 3: Future Land Use Map**



**LEGEND**







**Attachment 6: Application**



**TOWN OF HORIZON CITY**  
 14999 Darrington Road  
 Horizon City, Texas 79928  
 Phone 915-852-1046 Fax 915-852-1005

**REZONE APPLICATION**

1. Owner of Record: Pebble Hills Plaza, LTD  
420 Montana Ave., El Paso, TX 79902      915-592-0283      cconde@condeinc.com  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant Conde, Inc.      Is applicant also the Owner?  Yes  No  
 Contact Person Conrad Conde

6080 Surety Dr., Ste. 100 El Paso, TX 79905 (915) 592-0283      cconde@condeinc.com  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

3. PARCEL ONE  
 Site Address/Location Kenazo Ave.  
 Legal Description: 1      3      Kenazo Estates Unit Two  
(Lot) (Block) (Subdivision Name)

PARCEL TWO  
 Site Address/Location \_\_\_\_\_  
 Legal Description: \_\_\_\_\_  
(Lot) (Block) (Subdivision Name)

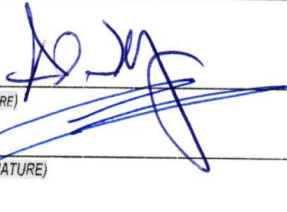
If the legal description of the complete tracts or if plat is not available, attached are the **required** Metes & Bounds Description & survey map(s)?  Yes  No

4. Briefly explain why you request to rezone? To allow for Commercial uses.

5. Land's Presents Use: Vacant      Zone C-1  
 Land Vacant  Lot size \_\_\_\_\_ Structure  Structure's size \_\_\_\_\_ Last known date the structure was occupied? N/A

Land's Proposed Use: Commercial      Proposed Zone Use C-2  
 Will you be making any improvements to the existing lot or structure?  Yes  No      This request includes Site Development Plans for approval?  Yes  No

**NOTICE:** Applicant is responsible for all expenses incurred by the City in connection with the Rezone Application request, including but not limited to attorney's fees, engineering fees and publication. Additional charges will be invoiced separately and shall be paid to the Town prior to City Council action.  
 Applicant's Signature \_\_\_\_\_

6. Signatures:       Alan Malooly  
(OWNER'S SIGNATURE) (OWNER'S PRINTED NAME)  
 \_\_\_\_\_      Conrad Conde  
(APPLICANT'S SIGNATURE) (APPLICANT'S PRINTED NAME)

FEE SCHEDULE: (NON-REFUNDABLE)		Application & Submittals Due Date: _____	
<b>\$300</b> - UP TO 1.0 ACRES	<b>\$450</b> - 30.1 ACRES TO 50 ACRES	P&Z Scheduled Mtg. Date: _____	City Council Scheduled Date: _____
<b>\$350</b> - 1.1 ACRES TO 10 ACRES	<b>\$500</b> - 50.1 ACRES TO 75 ACRES	Application Received By: _____	Date Application Rec'd: _____
<b>\$400</b> - 10.1 ACRES TO 30 ACRES	<b>\$600</b> - 75.1 ACRES AND UP		
<b>EL PASO TIMES PUBLISHING FEE</b> APPROXIMATELY <b>\$460</b>	<b>ENGINEERING FEE</b> APPROXIMATELY <b>\$60</b> PER ½ HOUR		

Please see reverse side for list of items required at time of submitting REZONING application.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE ADOPTING A ZONING CHANGE WITHIN THE MUNICIPAL LIMITS OF THE TOWN OF HORIZON CITY, TEXAS; REZONING ONE PARCEL FROM C-1 (GENERAL COMMERCIAL) TO C-2 (HEAVY COMMERCIAL); CONTAINING APPROXIMATELY 6.634 ACRES; BEING LOT 1, BLOCK 3, KENAZO ESTATES UNIT TWO, TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS; SOUTH OF EASTLAKE BLVD AND EAST OF KENAZO AVE; AND AUTHORIZING THE NOTATION OF THE CHANGE ON THE OFFICIAL ZONING MAP OF THE TOWN; PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; REPEALER; SEVERABILITY; AND PROPER NOTICE AND HEARING.**

**WHEREAS**, an application was made to change a designated zone for a parcel of property as identified herein within the municipal limits of the Town of Horizon City; and

**WHEREAS**, said application was forwarded to and considered by the Town of Horizon City Planning and Zoning Commission; and

**WHEREAS**, the Planning and Zoning Commission has complied with all state and local laws affecting the changing of zones and held a public hearing to obtain public comments; and

**WHEREAS**, the Planning and Zoning Commission has recommended that the zoning on the parcel of property be rezoned to C-2 (Heavy Commercial) Zoning District; and

**WHEREAS**, the City Council of the Town of Horizon City ("Town Council") seeks to promote safe, orderly and consistent use and development of real property; and

**WHEREAS**, the notice required by the Texas Local Government Code has been published in the official newspaper and given to adjacent property owners; and

**WHEREAS**, public hearings have been held by the Town Council as required by law; and

**WHEREAS**, all written and oral protests (if any) submitted against the proposed zoning change have been reviewed and considered; and

**WHEREAS**, the Town Council in its decision for rezoning finds that such rezoning is in the public interest of the Town of Horizon City, Texas; and

**WHEREAS**, pursuant to Texas Local Government Code Section 51.001, the Town has general authority to adopt an ordinance or police regulation that is for the good

government, peace or order of the Town and is necessary or proper for carrying out a power granted by law to the Town; and

**WHEREAS**, pursuant to Texas Local Government Code Chapter 211, the Town is authorized to promulgate and enforce zoning regulations; and

**WHEREAS**, the Town Council finds that it is necessary and proper for the good government, peace, and order of the Town of Horizon City to adopt this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, TEXAS. THAT:**

### **I. REZONING**

The zoning be changed from C-1 (General Commercial) to C-2 (Heavy Commercial) Zoning District within the meaning of the Zoning Ordinance contained in Chapter 14 on the Horizon City Municipal Code, for approximately 6.634 acres, more or less, and legally described by Plot Plan, Exhibit "A" attached hereto and by reference included herein:

### **II. ZONING MAP**

The zoning map for the Town of Horizon City shall be modified to include the zoning changes directed by this ordinance.

### **III. FINDINGS OF FACT**

That this ordinance was duly enacted with all requisites and formalities incident thereto the enactment of ordinance, and such is evidenced by the signatures below; and further that the foregoing recitals are incorporated into this ordinance by reference as findings of fact as if expressly set forth herein.

### **IV. REPEALER**

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the effect of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

### **V. SEVERABILITY**

Should any of the clauses, sentences, paragraphs, sections or parts of this ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with

jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

**VI. PROPER NOTICE AND MEETING**

It is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52, Texas Local Government Code.

**PASSED AND APPROVED this the \_\_\_ day of \_\_\_\_\_, 2024, by a vote of \_\_\_ (ayes) to \_\_\_ (nays) to \_\_\_ (abstentions) of the Town Council of Horizon City, Texas.**

Town of Horizon City

By: \_\_\_\_\_  
Andres Renteria, Mayor

ATTEST:

By: \_\_\_\_\_  
Elvia Schuller, TRMC, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Sylvia Borunda Firth, City Attorney

First Reading: 12/12/2023  
Second Reading: 02/13/2024





**TOWN OF HORIZON CITY  
Planning and Zoning Commission Staff Report**

**Case No.:** ZRZ23-0001 **Revised**

**Application Type:** **Rezoning (Postponed from the Nov. 20,2023, Dec. 18, 2023, Jan. 15, 2024, to the Feb. 12, 2024, P&Z Meeting)**

**P&Z Hearing Date:** November 20, 2023

**Staff Contact:** Art Rubio, Planner  
915-852-1046 ext. 407; [arubio@horizoncity.org](mailto:arubio@horizoncity.org)

**Address/Location:** 460 Kenazo Dr.; South of Eastlake Blvd. and East of Kenazo Dr.

**Property ID No.:**

**Legal Description:** Lot 1, Block 3, Kenazo Estates Unit 2, Town of Horizon City, El Paso County, Texas

**Property Owner(s):** Pebble Hills Plaza, LTD

**Applicant:** Conde Inc.

**Nearest Park:** Horizon Mesa

**Nearest School:** Horizon Middle School & Dessert Hills Elementary (CISD)

**SURROUNDING PROPERTIES:**

	<b>Zoning</b>	<b>Land Use</b>
<b>N</b>	C-1 (Commercial)	Vacant
<b>E</b>	PUD (Planned Unit Development)	Vacant
<b>S</b>	PUD (Planned Unit Development)	School & Commercial Sites
<b>W</b>	C-2 (Commercial) & A-1 (Apartment)	Vacant

**LAND USE AND ZONING:**

	<b>Existing</b>	<b>Proposed</b>
<b>Land Use</b>	Vacant	Commercial
<b>Zoning</b>	C-1	C-2

**Application Description:**

The applicant is requesting to rezone approximately 6.634 of land that is currently vacant. The subject property is currently zoned C-1 (General Commercial) and is proposed to be rezoned as C-2 (Heavy Commercial) to allow for the following uses that would not be permitted on C-1 or would require a Specific Use Permit:

1. Funeral Home (without crematorium)
2. Service station (oil change and minor repair services).
2. Restaurant (deriving more than 75% of Gross Revenue from sale of alcoholic beverages).
3. Recreation and entertainment.
4. Self-storage warehouse.
5. Print and copy shop.
6. Private club/ lodge or meeting hall.

**Notice:**

In accordance with Section 211.007 of the Texas Local Government Code, notices of the November 20, 2023, December 18, 2023, January 15, 2024, and February 12, 2024, public hearing for the rezoning request were sent to those property owners within 200 feet of the subject property 15 days prior to each meeting, then posted in the El Paso Times Newspaper 15 days prior to each meeting. In addition, the applicant is required to erect signs notifying the public of the proposed rezoning on the site proposed for rezoning fifteen (15) days prior to the Planning and Zoning Commission public hearing. Staff has confirmed that the sign has been up 15 days prior to the P&Z public hearing.

**Shaping Our Horizon:2030 A Comprehensive and Strategic Plan – Future Land Use Map Designation:**

Horizon City Shaping Our Horizon: 2030 Comprehensive and Strategic Plan designates this property as Multi-Family. There are existing C-2 zoned properties to the west and north of the subject property. Portions of the Multi-Family designated area have transitioned to C-2 zoning district to the north and west of the subject property.

**Staff Recommendation:**

Staff recommends **APPROVAL** of the zone change from C-1 to C-2 in support of a variety of commercial uses proposed as those services and goods are needed in the community. The subject property is located adjacent to a major arterial and compatible C-2 commercial zoning districts to the north, west, and south of the subject property.

**Planning Division Comments:**

If the zone change is approved and the applicant chooses to install a crematorium, approval of a Specific Use Permit would be required.

**Options available to the Planning and Zoning Commission:**

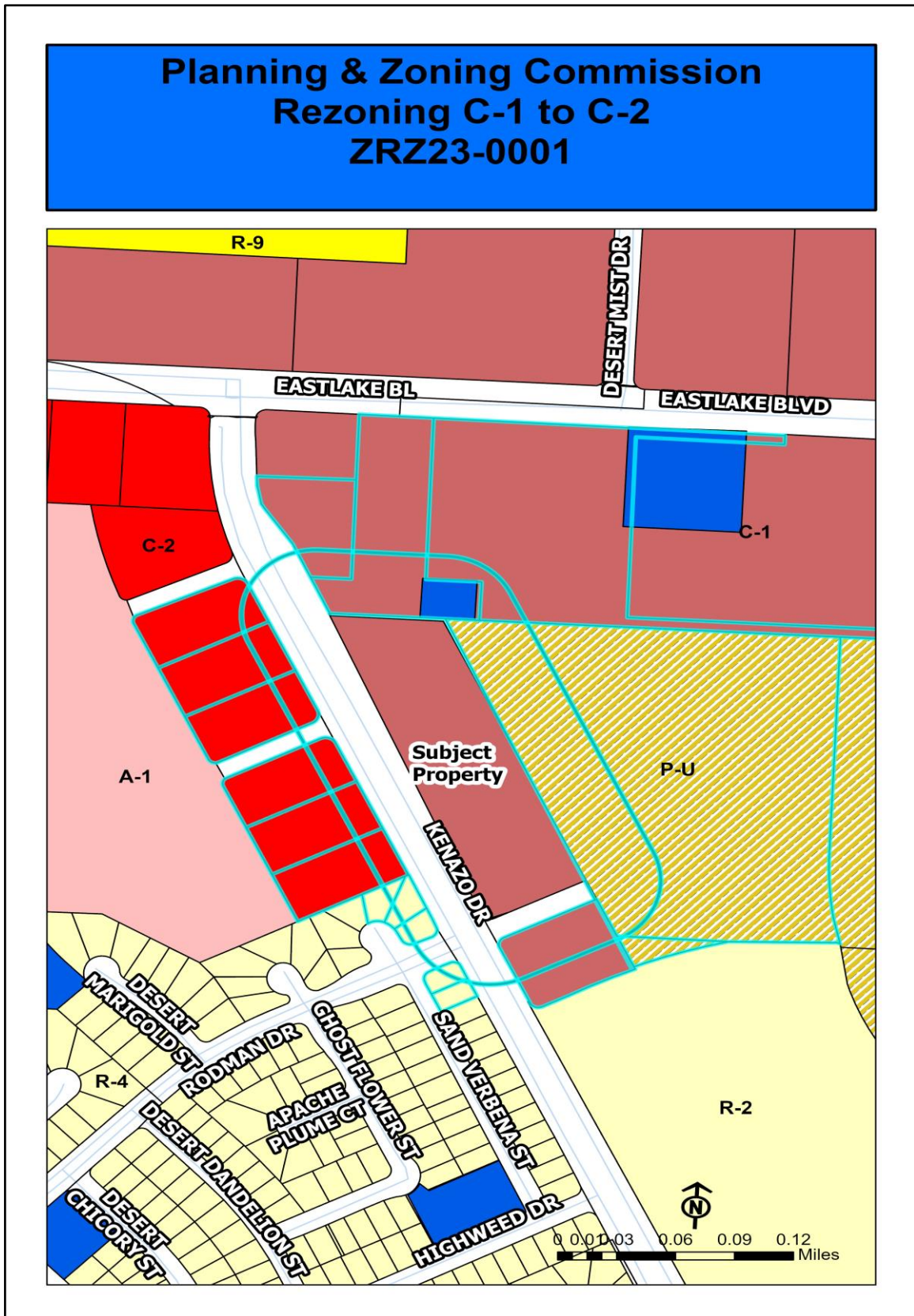
The Planning and Zoning Commission may consider the following options and additional requirements that it identifies when reviewing this Rezoning application:

1. Recommend approval of the request for a rezoning to C-2 Zoning District as stated.
2. Recommend approval of the request for rezoning as stated, including any modifications to bring the rezoning into conformance with the Zoning Ordinance and the Vision 2030: Comprehensive and Strategic Plan.
3. Recommend denial of the Applicant's request for rezoning finding that it is not in conformance with the Zoning Ordinance and/or the Vision 2030: Comprehensive and Strategic Plan.
4. Recommend a set postponement should the Commission determine it is not prepared to make a final recommendation, the applicant requests a postponement or if the Commission needs additional information to make a final recommendation.

**Attachments:**

- 1 - Zoning Designation Map**
- 2 – Aerial Map**
- 3 - Future Land Use Map (Comp Plan)**
- 4 – Zoning Plan**
- 5 – Plot Plan**
- 6 – Application**

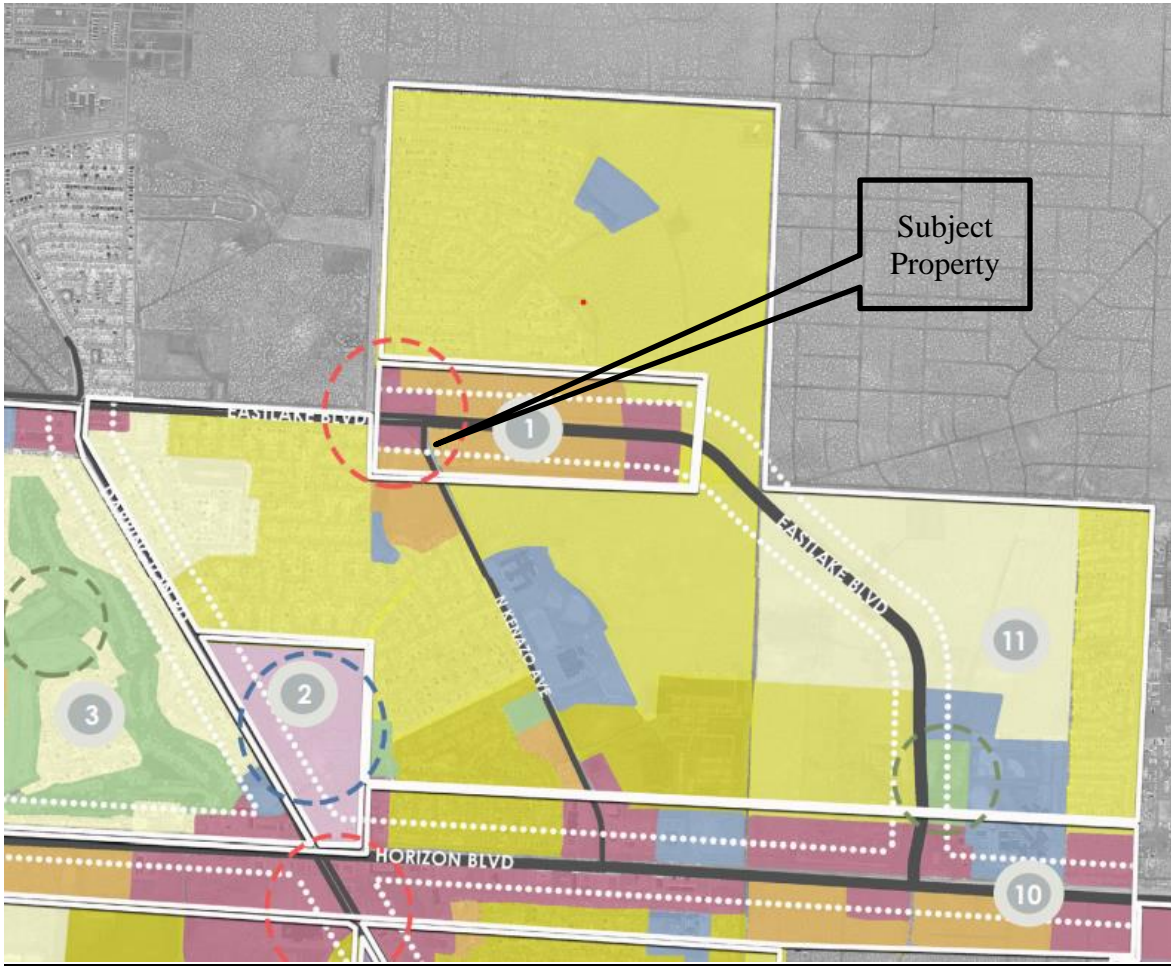
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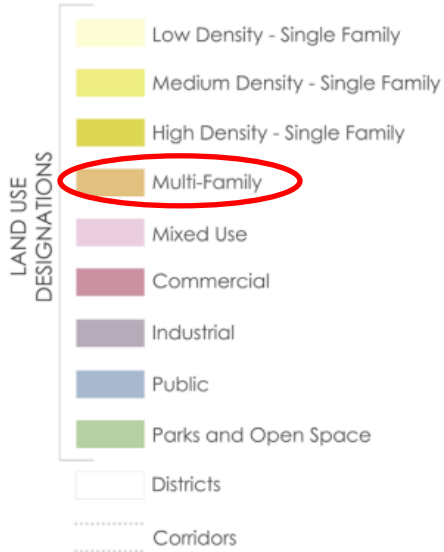
**Planning & Zoning Commission  
Rezoning C-1 to C-2  
ZRZ23-0001**



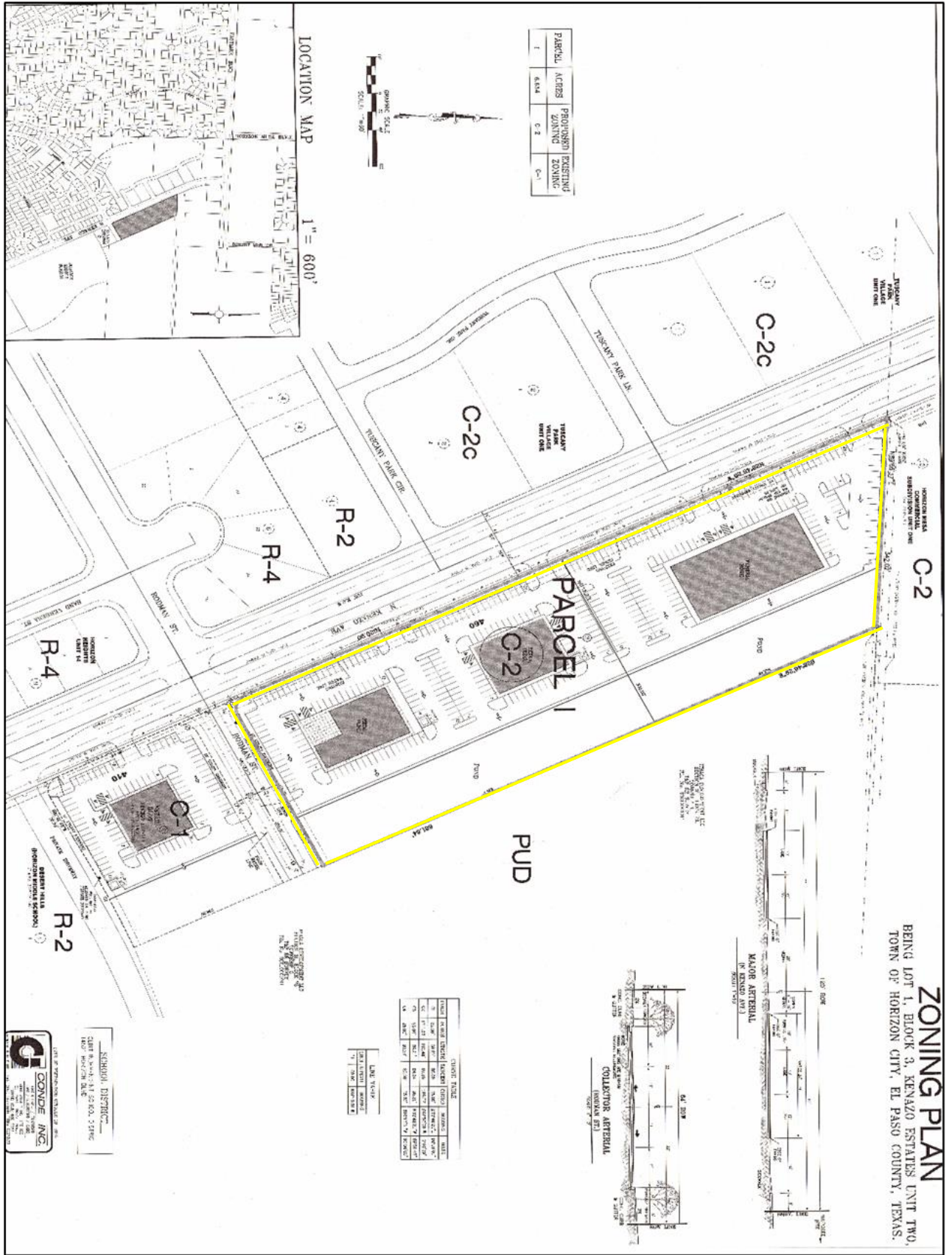
**Attachment 3: Future Land Use Map**



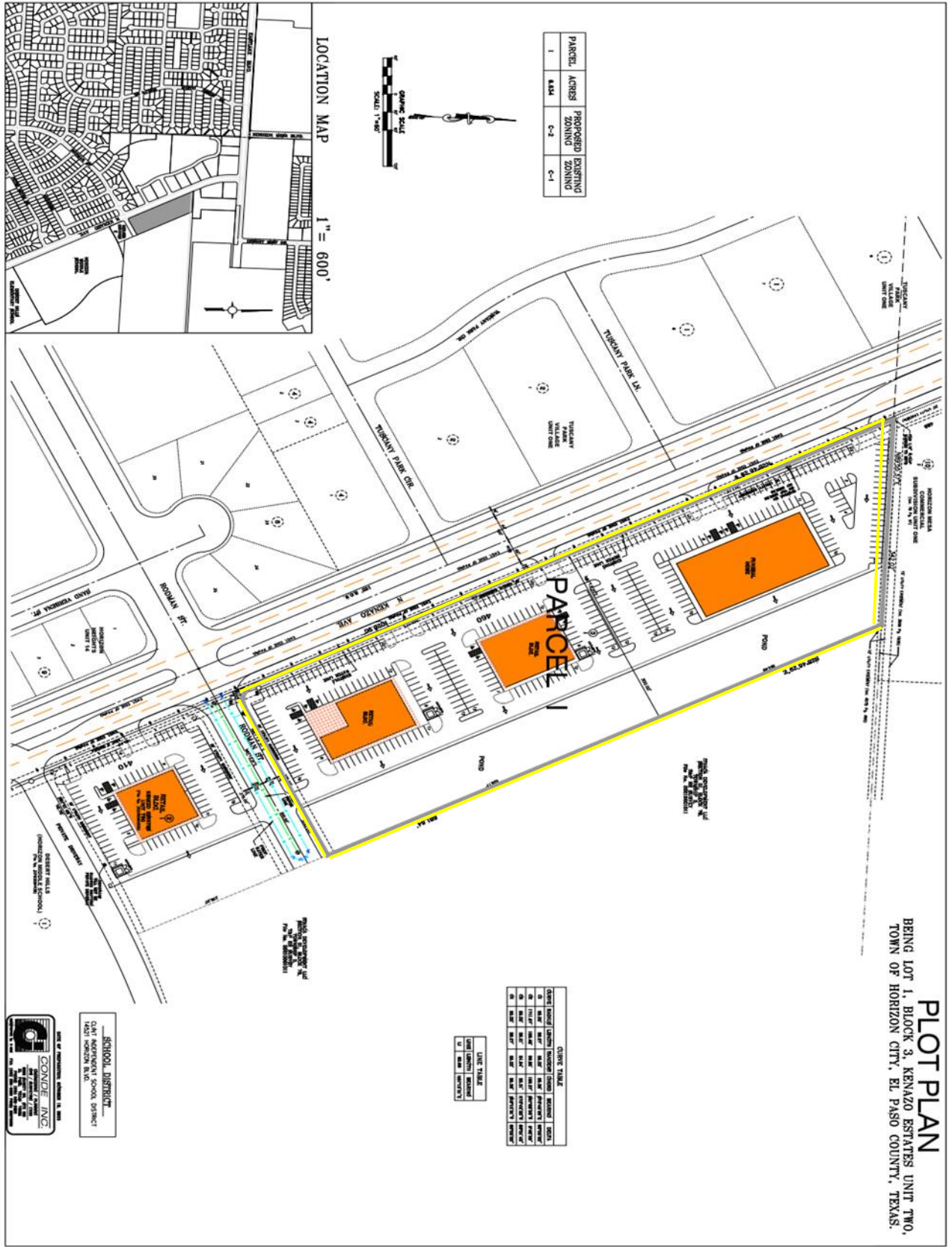
**LEGEND**



**Attachment 4: Conceptual Zoning Plan**



**Attachment 5: Plot Plan**



**Attachment 6: Application**



**TOWN OF HORIZON CITY**  
 14999 Darrington Road  
 Horizon City, Texas 79928  
 Phone 915-852-1046 Fax 915-852-1005

**REZONE APPLICATION**

1. Owner of Record: Pebble Hills Plaza, LTD  
420 Montana Ave., El Paso, TX 79902      915-592-0283      cconde@condeinc.com  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

2. Applicant Conde, Inc.      Is applicant also the Owner?  Yes  No  
 Contact Person Conrad Conde

6080 Surety Dr., Ste. 100 El Paso, TX 79905 (915) 592-0283      cconde@condeinc.com  
(ADDRESS) (ZIP) (PHONE) (EMAIL)

3. PARCEL ONE  
 Site Address/Location Kenazo Ave.  
 Legal Description: 1      3      Kenazo Estates Unit Two  
(Lot) (Block) (Subdivision Name)

PARCEL TWO  
 Site Address/Location \_\_\_\_\_  
 Legal Description: \_\_\_\_\_  
(Lot) (Block) (Subdivision Name)

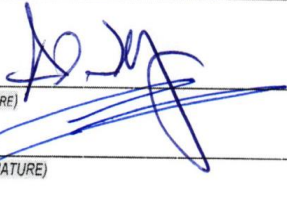
If the legal description of the complete tracts or if plat is not available, attached are the **required** Metes & Bounds Description & survey map(s)?  Yes  No

4. Briefly explain why you request to rezone? To allow for Commercial uses.

5. Land's Presents Use: Vacant      Zone C-1  
 Land Vacant  Lot size \_\_\_\_\_ Structure  Structure's size \_\_\_\_\_ Last known date the structure was occupied? N/A

Land's Proposed Use: Commercial      Proposed Zone Use C-2  
 Will you be making any improvements to the existing lot or structure?  Yes  No      This request includes Site Development Plans for approval?  Yes  No

**NOTICE:** Applicant is responsible for all expenses incurred by the City in connection with the Rezone Application request, including but not limited to attorney's fees, engineering fees and publication. Additional charges will be invoiced separately and shall be paid to the Town prior to City Council action.  
 Applicant's Signature \_\_\_\_\_

6. Signatures:       Alan Malooly  
(OWNER'S SIGNATURE) (OWNER'S PRINTED NAME)  
 \_\_\_\_\_      Conrad Conde  
(APPLICANT'S SIGNATURE) (APPLICANT'S PRINTED NAME)

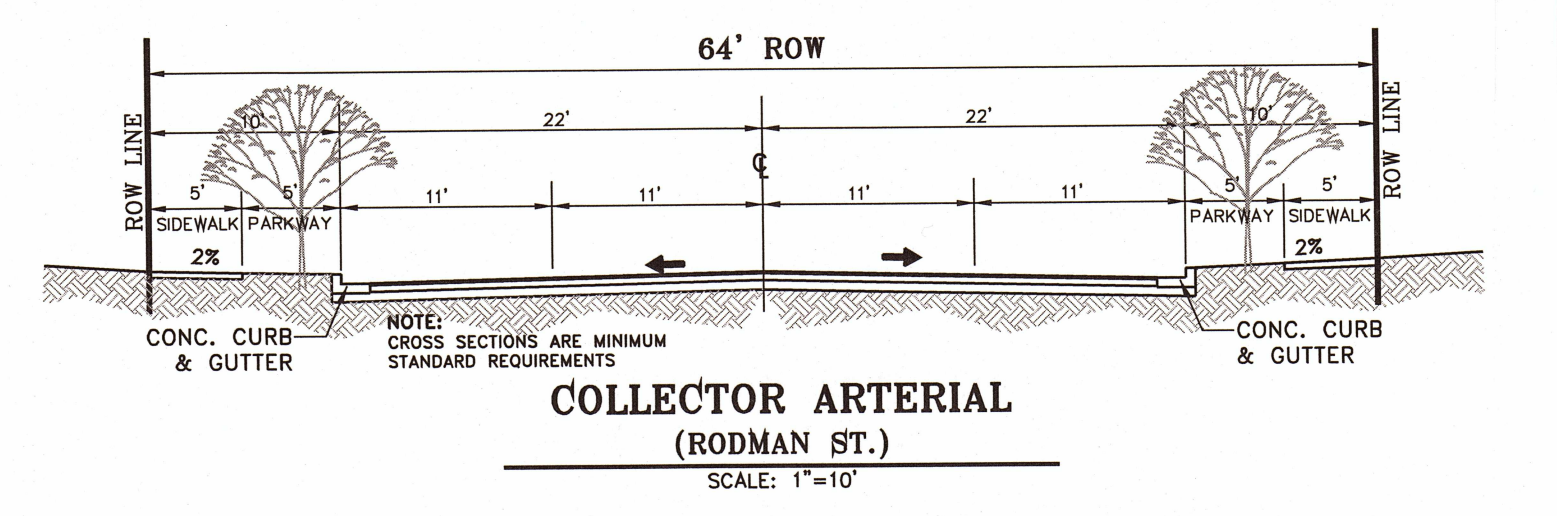
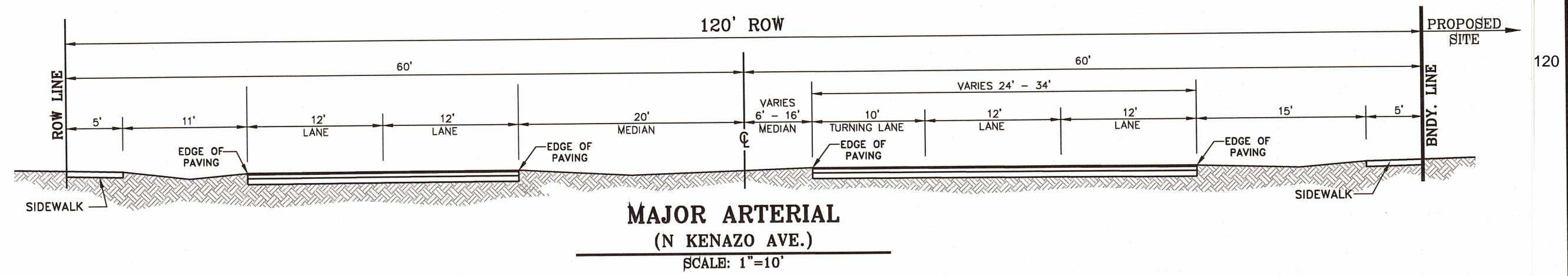
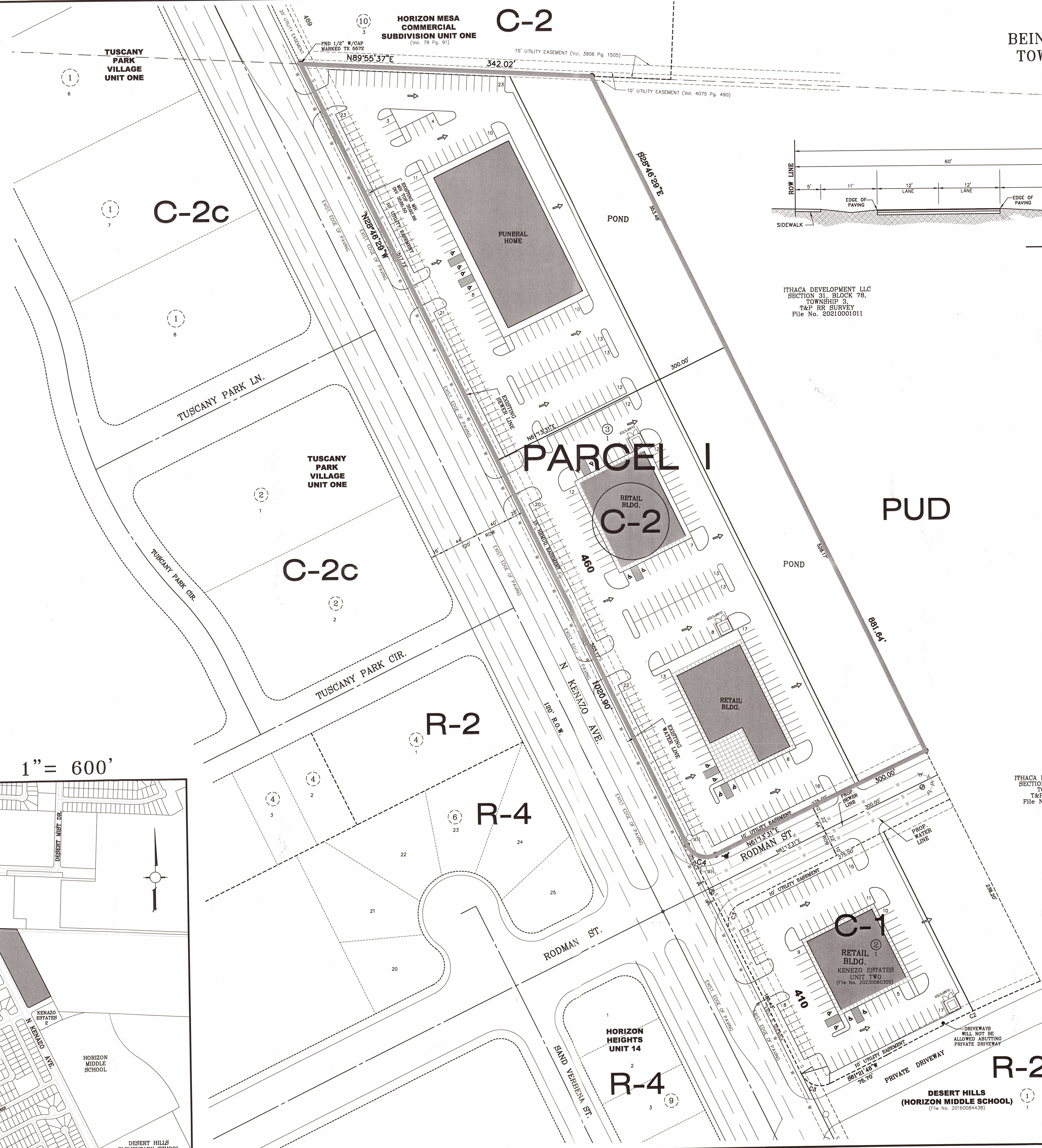
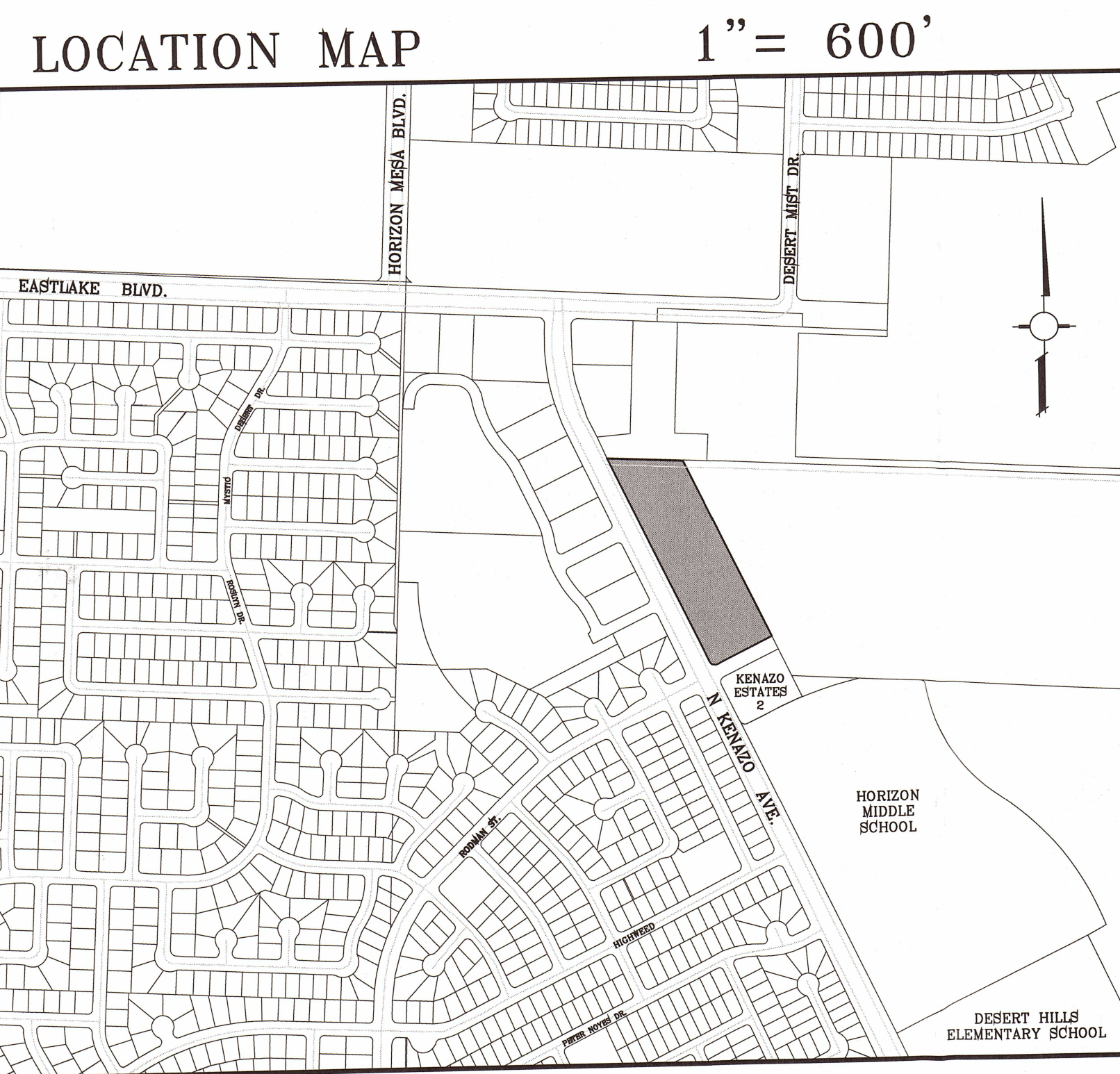
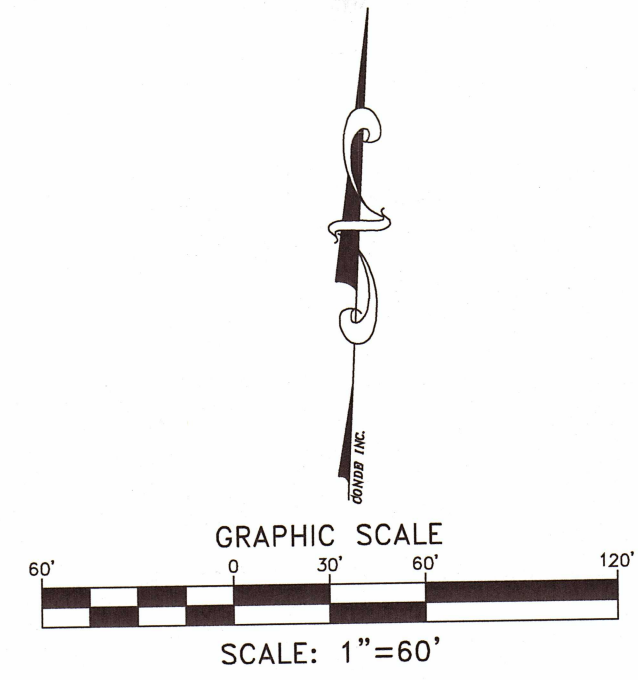
FEE SCHEDULE: (NON-REFUNDABLE)		Application & Submittals Due Date: _____	
<b>\$300</b> - UP TO 1.0 ACRES	<b>\$450</b> - 30.1 ACRES TO 50 ACRES	P&Z Scheduled Mtg. Date: _____	City Council Scheduled Date: _____
<b>\$350</b> - 1.1 ACRES TO 10 ACRES	<b>\$500</b> - 50.1 ACRES TO 75 ACRES	Application Received By: _____	Date Application Rec'd: _____
<b>\$400</b> - 10.1 ACRES TO 30 ACRES	<b>\$600</b> - 75.1 ACRES AND UP		
<b>EL PASO TIMES PUBLISHING FEE</b> APPROXIMATELY <b>\$460</b>	<b>ENGINEERING FEE</b> APPROXIMATELY <b>\$60 PER 1/2 HOUR</b>		

Please see reverse side for list of items required at time of submitting REZONING application.

# ZONING PLAN

BEING LOT 1, BLOCK 3, KENAZO ESTATES UNIT TWO,  
TOWN OF HORIZON CITY, EL PASO COUNTY, TEXAS.

PARCEL	ACRES	PROPOSED ZONING	EXISTING ZONING
I	6.634	C-2	C-1



CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	25.00'	39.27'	25.00'	35.36'	S73°46'29"E	90°00'00"
C2	1711.87'	199.48'	99.86'	199.37'	S61°58'00"W	6°40'39"
C3	25.00'	39.21'	24.94'	35.31'	N73°42'20"W	89°51'43"
C4	25.00'	39.27'	25.00'	35.36'	S18°13'31"W	90°00'00"

LINE TABLE		
LINE	LENGTH	BEARING
L1	60.00'	N61°13'31"E

ITHACA DEVELOPMENT LLC  
SECTION 31, BLOCK 7B,  
TOWNSHIP 3,  
T&P RR SURVEY  
File No. 20210001011

SCHOOL DISTRICT  
CLINT INDEPENDENT SCHOOL DISTRICT  
14521 HORIZON BLVD.

DATE OF PREPARATION: OCTOBER 19, 2023

S:\GEVERA\DATA\CV\KENAZO ESTATES 2-ZN.dwg - REZONING, 10/20/2023 1:08:46 PM, C.A. CORTEZ

TOWN OF HORIZON CITY

ORDINANCE NO. R-202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE FUEL GAS CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED FUEL GAS CODE; AND PROVIDING FOR FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS,** the City Council of the Town of Horizon City ("City Council") finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 International Fuel Gas Code ("FGC") to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the fuel gas code.

**Section 2. AMENDMENT OF THE FUEL GAS CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Fuel Gas Code ("FGC") regulating and governing fuel gas in and around property, buildings, and structures in the City; providing for the issuance of permits and collection of fees.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 7 of the City's Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance's regulations, rules, and policies in the City's Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX, on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

\_\_\_\_\_

Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

---

Sylvia B. Firth, City Attorney

**Attachment "A"**

Section 3.02.211 Adoption.

A certain document, a copy of which is on file in the office of the city clerk, being marked and designated as the International Fuel Gas Code, 2021 edition, as published by the International Code Council, is hereby adopted as the fuel gas code of the city for regulating and governing fuel gas systems and gas-fired appliances as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said fuel gas code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

Section 3.02.212 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. None.

TOWN OF HORIZON CITY

ORDINANCE NO. 202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE FUEL GAS CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED FUEL GAS CODE; AND PROVIDING FOR FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS,** the City Council of the Town of Horizon City (“City Council”) finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 International Fuel Gas Code (“FGC”) to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the fuel gas code.

**Section 2. AMENDMENT OF THE FUEL GAS CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Fuel Gas Code (“FGC”) regulating and governing fuel gas in and around property, buildings, and structures in the City; providing for the issuance of permits and collection of fees.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 7 of the City’s Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance’s regulations, rules, and policies in the City’s Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX,  
on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

\_\_\_\_\_

Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

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Sylvia B. Firth, City Attorney

## **Attachment “A”**

### Section 3.02.211 Adoption.

A certain document, a copy of which is on file in the office of the city clerk, being marked and designated as the International Fuel Gas Code, 2021 edition, as published by the International Code Council, is hereby adopted as the fuel gas code of the city for regulating and governing fuel gas systems and gas-fired appliances as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said fuel gas code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

### Section 3.02.212 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. None.

TOWN OF HORIZON CITY

ORDINANCE NO. R-202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE RESIDENTIAL BUILDING CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED RESIDENTIAL BUILDING CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS,** the City Council of the Town of Horizon City ("City Council") finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 International Residential Code ("IRC") to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the residential building code.

**Section 2. AMENDMENT OF THE RESIDENTIAL BUILDING CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Residential Code ("IRC") regulating and governing residential property, buildings, and structures in the City; providing for the issuance of permits and collection of fees.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 3 of the City's Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance's regulations, rules, and policies in the City's Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX, on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

---

Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

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Sylvia B. Firth, City Attorney

**Attachment "A"**

Section 3.02.071 Adoption.

A certain document, a copy of which is on file in the office of the city clerk, being marked and designated as the International Residential Code, 2021 edition, as published by the International Code Council, is hereby adopted as the residential code of the city for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said residential code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

Section 3.02.072 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. The following sections of the IRC are hereby deleted in their entirety or as stated below, as follows:

Section A 105.2 – Work Exempt From Permit:

- Building (1), (2), (3), (5), (10)
- Electrical (4)
- Mechanical (4), (7)

TOWN OF HORIZON CITY

ORDINANCE NO. 202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE RESIDENTIAL BUILDING CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED RESIDENTIAL BUILDING CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS,** the City Council of the Town of Horizon City (“City Council”) finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 International Residential Code (“IRC”) to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the residential building code.

**Section 2. AMENDMENT OF THE RESIDENTIAL BUILDING CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Residential Code (“IRC”) regulating and governing residential property, buildings, and structures in the City; providing for the issuance of permits and collection of fees.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 3 of the City’s Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance’s regulations, rules, and policies in the City’s Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX, on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

---

Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

---

Sylvia B. Firth, City Attorney

## Attachment “A”

### Section 3.02.071 Adoption.

A certain document, a copy of which is on file in the office of the city clerk, being marked and designated as the International Residential Code, 2021 edition, as published by the International Code Council, is hereby adopted as the residential code of the city for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said residential code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

### Section 3.02.072 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. The following sections of the IRC are hereby deleted in their entirety or as stated below, as follows:

#### Section A 105.2 – Work Exempt From Permit:

Building (1), (2), (3), (5), (10)  
Electrical (4)  
Mechanical (4), (7)

TOWN OF HORIZON CITY

ORDINANCE NO. R-202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE BUILDING CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED BUILDING CODE; AND PROVIDING FOR FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS,** the City Council of the Town of Horizon City ("City Council") finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 International Building Code ("IBC") to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the building code.

**Section 2. AMENDMENT OF THE BUILDING CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Building Code ("IBC") regulating and governing property, buildings, and structures in the City; providing for the issuance of permits and collection of fees.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 2 of the City's Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance's regulations, rules, and policies in the City's Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX, on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

\_\_\_\_\_

Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

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Sylvia B. Firth, City Attorney

**Attachment "A"**

## Section 3.02.031 Adoption.

That certain document, a copy of which is on file with Town Clerk of the City and authenticated, being marked and designated as the 2021 edition of the International Building Code ("IBC") is hereby adopted as the building code of the city for regulating and governing the conditions and maintenance of all property, buildings and structures, by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said building code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

## Section 3.02.032 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. The following sections of the IRC are hereby deleted in their entirety or as stated below, as follows:

Section A 105.2 – Work Exempt From Permit:

Building (1), (2), (4), (6), (9)  
Mechanical (4), (7)

TOWN OF HORIZON CITY

ORDINANCE NO. 202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE BUILDING CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED BUILDING CODE; AND PROVIDING FOR FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS,** the City Council of the Town of Horizon City (“City Council”) finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 International Building Code (“IBC”) to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the building code.

**Section 2. AMENDMENT OF THE BUILDING CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Building Code (“IBC”) regulating and governing property, buildings, and structures in the City; providing for the issuance of permits and collection of fees.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 2 of the City’s Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance’s regulations, rules, and policies in the City’s Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX,  
on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

\_\_\_\_\_

Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

---

Sylvia B. Firth, City Attorney

## Attachment “A”

### Section 3.02.031 Adoption.

That certain document, a copy of which is on file with Town Clerk of the City and authenticated, being marked and designated as the 2021 edition of the International Building Code (“IBC”) is hereby adopted as the building code of the city for regulating and governing the conditions and maintenance of all property, buildings and structures, by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said building code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

### Section 3.02.032 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. The following sections of the IRC are hereby deleted in their entirety or as stated below, as follows:

Section A 105.2 – Work Exempt From Permit:

Building (1), (2), (4), (6), (9)  
Mechanical (4), (7)

TOWN OF HORIZON CITY

ORDINANCE NO. R-202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE ENERGY CONSERVATION CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED ENERGY CONSERVATION CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS,** the City Council of the Town of Horizon City ("City Council") finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 edition of the International Energy Conservation Code ("IECC") to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the energy conservation code.

**Section 2. AMENDMENT OF THE ENERGY CONSERVATION CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Energy Conservation Code ("IECC") regulating and governing energy conservation and other energy systems in the City.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 8 of the City's Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance's regulations, rules, and policies in the City's Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX, on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

\_\_\_\_\_

Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

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Sylvia B. Firth, City Attorney

**Attachment "A"**

## Section 3.02.241 Adopted.

That certain document, a copy of which is on file with Town Clerk of the City and authenticated, being marked and designated as the 2021 edition of the International Energy Conservation Code, as published by the National Code Council, is hereby adopted as the energy conservation code of the city for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of energy conservation systems as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said energy conservation code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

## Section 3.02.242 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. None.

TOWN OF HORIZON CITY

ORDINANCE NO. 202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE ENERGY CONSERVATION CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED ENERGY CONSERVATION CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS,** the City Council of the Town of Horizon City (“City Council”) finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 edition of the International Energy Conservation Code (“IECC”) to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the energy conservation code.

**Section 2. AMENDMENT OF THE ENERGY CONSERVATION CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Energy Conservation Code (“IECC”) regulating and governing energy conservation and other energy systems in the City.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 8 of the City’s Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance’s regulations, rules, and policies in the City’s Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX,  
on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

\_\_\_\_\_

Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

---

Sylvia B. Firth, City Attorney

## Attachment “A”

### Section 3.02.241 Adopted.

That certain document, a copy of which is on file with Town Clerk of the City and authenticated, being marked and designated as the 2021 edition of the International Energy Conservation Code, as published by the National Code Council, is hereby adopted as the energy conservation code of the city for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of energy conservation systems as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said energy conservation code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

### Section 3.02.242 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. None.

TOWN OF HORIZON CITY

ORDINANCE NO. R-202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, ADOPTING THE FIRE CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE FIRE CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING; CREATING A MISDEMEANOR PUNISHIBLE BY A FINE NOT TO EXCEED \$2,000**

**WHEREAS,** the City Council of the Town of Horizon City ("City Council") finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council had previously granted fire code enforcement authority to the Emergency Services District #1 and their Fire Marshall, which had adopted the 2009 international Fire Code; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 International Fire Code ("IFC") to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the adoption of the fire code.

**Section 2. ADOPTION OF THE FIRE CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Fire Code ("IFC") regulating and governing residential property, buildings, and structures in the City; providing for the issuance of permits and collection of fees.

The City Council hereby approves the modification of Chapter 5, Article 5.01 of the City's Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance's regulations, rules, and policies in the City's Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX, on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

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Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

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Sylvia B. Firth, City Attorney

**Attachment "A"**

## Section 5.01.001 Adoption.

A certain document, a copy of which is on file in the office of the city clerk, being marked and designated as the International Fire Code, 2021 edition, as published by the International Code Council, is hereby adopted as the fire code of the city for regulating and governing the conditions and maintenance of all fire systems and prevention in property, buildings, and structures, by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for fire prevention, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions, and terms of said fire code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

## Section 5.01.002 Amendments.

(a) Insertions. None.

(b) Revisions. None.

(c) Deletions. None.

## Section 5.01.005 Penalty.

Any person, firm, corporation, or agent who shall violate a provision of the International Fire Code or this division, or fail to comply therewith, or with any requirements thereof, or who shall erect, construct, alter, or install any electrical system, or has erected, constructed, altered or repaired any electrical system in violation of a detailed statement or drawing submitted and permitted thereunder, or of a permit or certificate issued pursuant to the provisions of this division or section 103 of Ordinance No. 0102 of the city (the zoning ordinance), shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine in accordance with the general penalty provided in section 1.01.009 of this code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

TOWN OF HORIZON CITY

ORDINANCE NO. 202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, ADOPTING THE FIRE CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE FIRE CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING; CREATING A MISDEMEANOR PUNISHIBLE BY A FINE NOT TO EXCEED \$2,000**

**WHEREAS,** the City Council of the Town of Horizon City (“City Council”) finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council had previously granted fire code enforcement authority to the Emergency Services District #1 and their Fire Marshall, which had adopted the 2009 international Fire Code; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 International Fire Code (“IFC”) to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the adoption of the fire code.

**Section 2. ADOPTION OF THE FIRE CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Fire Code (“IFC”) regulating and governing residential property, buildings, and structures in the City; providing for the issuance of permits and collection of fees.

The City Council hereby approves the modification of Chapter 5, Article 5.01 of the City’s Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance’s regulations, rules, and policies in the City’s Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX, on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

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Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

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Sylvia B. Firth, City Attorney

## Attachment “A”

### Section 5.01.001 Adoption.

A certain document, a copy of which is on file in the office of the city clerk, being marked and designated as the International Fire Code, 2021 edition, as published by the International Code Council, is hereby adopted as the fire code of the city for regulating and governing the conditions and maintenance of all fire systems and prevention in property, buildings, and structures, by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for fire prevention, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions, and terms of said fire code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

### Section 5.01.002 Amendments.

(a) Insertions. None.

(b) Revisions. None.

(c) Deletions. None.

### Section 5.01.005 Penalty.

Any person, firm, corporation, or agent who shall violate a provision of the International Fire Code or this division, or fail to comply therewith, or with any requirements thereof, or who shall erect, construct, alter, or install any electrical system, or has erected, constructed, altered or repaired any electrical system in violation of a detailed statement or drawing submitted and permitted thereunder, or of a permit or certificate issued pursuant to the provisions of this division or section 103 of Ordinance No. 0102 of the city (the zoning ordinance), shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine in accordance with the general penalty provided in section 1.01.009 of this code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

TOWN OF HORIZON CITY

ORDINANCE NO. R-202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE MECHANICAL CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED MECHANICAL CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS,** the City Council of the Town of Horizon City ("City Council") finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 edition of the International Mechanical Code ("IMC") to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the mechanical code.

**Section 2. AMENDMENT OF THE MECHANICAL CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Mechanical Code ("IMC") regulating and governing mechanical systems in the City.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 6 of the City's Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance's regulations, rules, and policies in the City's Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX, on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

\_\_\_\_\_  
Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

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Sylvia B. Firth, City Attorney

**Attachment "A"**

Section 3.02.181 Adoption.

A certain document, a copy of which is on file in the office of the city clerk, being marked and designated as the International Mechanical Code, 2021 edition, as published by the International Code Council, is hereby adopted as the mechanical code of the city for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said mechanical code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

Section 3.02.182 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. The following sections of the IMC are hereby deleted in their entirety or as stated below, as follows:

Section A 106.2 –Permits not Required (4) (7)

TOWN OF HORIZON CITY

ORDINANCE NO. 202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE MECHANICAL CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED MECHANICAL CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS,** the City Council of the Town of Horizon City (“City Council”) finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 edition of the International Mechanical Code (“IMC”) to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the mechanical code.

**Section 2. AMENDMENT OF THE MECHANICAL CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Mechanical Code (“IMC”) regulating and governing mechanical systems in the City.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 6 of the City's Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance's regulations, rules, and policies in the City's Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX,  
on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

\_\_\_\_\_  
Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

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Sylvia B. Firth, City Attorney

## Attachment “A”

### Section 3.02.181 Adoption.

A certain document, a copy of which is on file in the office of the city clerk, being marked and designated as the International Mechanical Code, 2021 edition, as published by the International Code Council, is hereby adopted as the mechanical code of the city for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said mechanical code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

### Section 3.02.182 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. The following sections of the IMC are hereby deleted in their entirety or as stated below, as follows:

Section A 106.2 –Permits not Required (4) (7)

TOWN OF HORIZON CITY

ORDINANCE NO. R-202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE PLUMBING CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED PLUMBING CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS,** the City Council of the Town of Horizon City ("City Council") finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 International Plumbing Code ("IPC") to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the plumbing code.

**Section 2. AMENDMENT OF THE PLUMBING CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Plumbing Code ("IPC") regulating and governing property, buildings, and structures in the City; providing for the issuance of permits and collection of fees.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 5 of the City's Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance's regulations, rules, and policies in the City's Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX, on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

\_\_\_\_\_

Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

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Sylvia B. Firth, City Attorney

**Attachment "A"**

## Section 3.02.141 Adoption.

A certain document, a copy of which is on file in the office of the city clerk, being marked and designated as the International Plumbing Code, 2021 edition, as published by the International Code Council, is hereby adopted as the plumbing code of the city regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said plumbing code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

## Section 3.02.142 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. None.

TOWN OF HORIZON CITY

ORDINANCE NO. 202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE PLUMBING CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED PLUMBING CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS,** the City Council of the Town of Horizon City (“City Council”) finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2021 International Plumbing Code (“IPC”) to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the plumbing code.

**Section 2. AMENDMENT OF THE PLUMBING CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Plumbing Code (“IPC”) regulating and governing property, buildings, and structures in the City; providing for the issuance of permits and collection of fees.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 5 of the City’s Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance’s regulations, rules, and policies in the City’s Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX,  
on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

\_\_\_\_\_

Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

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Sylvia B. Firth, City Attorney

## Attachment “A”

### Section 3.02.141 Adoption.

A certain document, a copy of which is on file in the office of the city clerk, being marked and designated as the International Plumbing Code, 2021 edition, as published by the International Code Council, is hereby adopted as the plumbing code of the city regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said plumbing code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

### Section 3.02.142 Amendments.

(a) Insertions. None.

(b) Revisions. None.

(c) Deletions. None.

TOWN OF HORIZON CITY

ORDINANCE NO. R-202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE ELECTRIC CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED ELECTRIC CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS,** the City Council of the Town of Horizon City ("City Council") finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the updated 2020 edition of the NFPA 70 National Electrical Code ("NEC") to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the electric code.

**Section 2. AMENDMENT OF THE ELECTRIC CODE**

The City Council hereby enacts and adopts the 2020 edition of the NFPA 70 National Electrical Code ("NEC") regulating and governing electrical systems in the City.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 4 of the City's Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance's regulations, rules, and policies in the City's Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX, on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

\_\_\_\_\_  
Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

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Sylvia B. Firth, City Attorney

**Attachment "A"**

## Section 3.02.101 Adopted.

That certain document, a copy of which is on file with Town Clerk of the City and authenticated, being marked and designated as the 2020 edition of the NFPA 70 National Electrical Code, as published by the National Electrical Code Council, is hereby adopted as the electrical code of the city for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said electrical code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

## Section 3.02.102 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. None.

TOWN OF HORIZON CITY

ORDINANCE NO. 202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, AMENDING THE ELECTRIC CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE AMENDED ELECTRIC CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING.**

**WHEREAS**, the City Council of the Town of Horizon City (“City Council”) finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS**, Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS**, pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to modify and adopt codes of technical regulations; and

**WHEREAS**, the City Council has determined that the adoption of the updated 2020 edition of the NFPA 70 National Electrical Code (“NEC”) to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS**, the City Council finds it to be in the public interest that the City modify and adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the modification of the electric code.

**Section 2. AMENDMENT OF THE ELECTRIC CODE**

The City Council hereby enacts and adopts the 2020 edition of the NFPA 70 National Electrical Code (“NEC”) regulating and governing electrical systems in the City.

The City Council hereby approves the modification of Chapter 3, Article 3.02, Division 4 of the City's Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance's regulations, rules, and policies in the City's Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX, on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

\_\_\_\_\_  
Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

---

Sylvia B. Firth, City Attorney

## Attachment “A”

### Section 3.02.101 Adopted.

That certain document, a copy of which is on file with Town Clerk of the City and authenticated, being marked and designated as the 2020 edition of the NFPA 70 National Electrical Code, as published by the National Electrical Code Council, is hereby adopted as the electrical code of the city for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said electrical code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

### Section 3.02.102 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. None.

TOWN OF HORIZON CITY

ORDINANCE NO. R-202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, ADOPTING AN EXISTING BUILDING CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE INTERNATIONAL EXISTING BUILDING CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING; CREATING A MISDEMEANOR PUNISHIBLE BY A FINE NOT TO EXCEED \$2,000**

**WHEREAS,** the City Council of the Town of Horizon City ("City Council") finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS,** Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to adopt codes of technical regulations; and

**WHEREAS,** the City Council has determined that the adoption of the 2021 International Existing Building Code ("IEBC") to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS,** the City Council finds it to be in the public interest that the City adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the adoption of an existing building code.

**Section 2. ADOPTION OF THE EXISTING BUILDING CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Existing Building Code ("IEBC") regulating and governing property, buildings, and structures in the City; providing for the issuance of permits and collection of fees.

The City Council hereby approves the modification of Chapter 3, Article 3.02 of the City's Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance's regulations, rules, and policies in the City's Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX, on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

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Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

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Sylvia B. Firth, City Attorney

**Attachment "A"****DIVISION 9**

## Section 3.02.251 Adoption.

That certain document, a copy of which is on file with Town Clerk of the City and authenticated, being marked and designated as the 2021 edition of the International Existing Building Code ("IEBC") is hereby adopted as the building code of the city for regulating and governing the conditions and maintenance of all preexisting property, buildings and structures, by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such preexisting structures as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said existing building code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

## Section 3.02.252 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. The following sections of the IEBC are hereby deleted in their entirety or as stated below, as follows:

## Section A 105.2 – Work Exempt From Permit:

- Building (1)
- Electrical: no changes
- Gas: no changes
- Mechanical (4), (7)
- Plumbing: no changes

## Section 3.02.255 Penalty.

Any person, firm, corporation or agent who shall violate a provision of the International Existing Building Code or this division, or fail to comply therewith, or with any requirements thereof, or who shall erect, construct, alter, or install any electrical system, or has erected, constructed, altered or repaired any electrical system in violation of a detailed statement or drawing submitted and permitted thereunder, or of a permit or certificate issued pursuant to the provisions of this division or section 103 of Ordinance No. 0102 of the city (the zoning ordinance), shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine in accordance with the general penalty provided in section 1.01.009 of this code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

TOWN OF HORIZON CITY

ORDINANCE NO. 202\_\_ - \_\_\_\_

**AN ORDINANCE OF THE TOWN OF HORIZON CITY, TEXAS, ADOPTING AN EXISTING BUILDING CODE BY ADOPTING AND AUTHORIZING THE MAYOR TO EXECUTE AND ADOPT THE INTERNATIONAL EXISTING BUILDING CODE; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT, REPEALER, SEVERABILITY, EFFECTIVE DATE, PROPER NOTICE, AND HEARING; CREATING A MISDEMEANOR PUNISHIBLE BY A FINE NOT TO EXCEED \$2,000**

**WHEREAS**, the City Council of the Town of Horizon City (“City Council”) finds it to be in the public interest and necessary to update its Code of Ordinances from time to time; and

**WHEREAS**, Texas Local Government Code Section 51.001 provides the City general authority to adopt an ordinance, rule, or police regulation that is for the good government, peace, or order of the City and are necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS**, pursuant to Section 55.001 of the Texas Local Government Code, and Section 3.15 of the City Charter, the City Council has the authority to adopt codes of technical regulations; and

**WHEREAS**, the City Council has determined that the adoption of the 2021 International Existing Building Code (“IEBC”) to promote the safety and orderly construction within the corporate city limits of the Town of Horizon City, Texas, in the extraterritorial jurisdiction of Horizon City; and

**WHEREAS**, the City Council finds it to be in the public interest that the City adopt this ordinance and technical code to promote the safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HORIZON CITY, that:**

**Section 1. FINDINGS OF FACT**

Pursuant to Sections 51.001 and 51.012 of the Texas Local Government Code and Section 3.15 of the City Charter, the City Council hereby approves the adoption of an existing building code.

**Section 2. ADOPTION OF THE EXISTING BUILDING CODE**

The City Council hereby enacts and adopts the 2021 edition of the International Existing Building Code (“IEBC”) regulating and governing property, buildings, and structures in the City; providing for the issuance of permits and collection of fees.

The City Council hereby approves the modification of Chapter 3, Article 3.02 of the City’s Code of Ordinances, as set forth in Attachment A, for the above-stated purpose.

**Section 3. PUBLICATION OF ORDINANCE**

The City Council authorizes the Mayor, City Clerk, or their designee, to record and publish this ordinance’s regulations, rules, and policies in the City’s Code of Ordinances.

**Section 4. REPEALER**

To the extent reasonably possible, ordinances are to be read together in harmony. However, all ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

**Section 5. SEVERABILITY**

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

**Section 6. PROPER NOTICE & MEETING**

The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

**DULY RESOLVED & ADOPTED by the City Council of the Town of Horizon City, TX,  
on this, the \_\_\_ day of \_\_\_ 2024.**

**APPROVED:**

\_\_\_\_\_  
Andres Renteria, Mayor

**ATTEST:**

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Elvia Schuller, City Clerk

**APPROVED AS TO FORM:**

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Sylvia B. Firth, City Attorney

**Attachment “A”**

**DIVISION 9**

Section 3.02.251 Adoption.

That certain document, a copy of which is on file with Town Clerk of the City and authenticated, being marked and designated as the 2021 edition of the International Existing Building Code (“IEBC”) is hereby adopted as the building code of the city for regulating and governing the conditions and maintenance of all preexisting property, buildings and structures, by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use, and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such preexisting structures as herein provided, and providing for the issuance of permits and collection of fees therefor, and each and all of the regulations, provisions, penalties, conditions and terms of said existing building code on file in the office of the city clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in this division.

Section 3.02.252 Amendments.

- (a) Insertions. None.
- (b) Revisions. None.
- (c) Deletions. The following sections of the IEBC are hereby deleted in their entirety or as stated below, as follows:

Section A 105.2 – Work Exempt From Permit:

- Building (1)
- Electrical: no changes
- Gas: no changes
- Mechanical (4), (7)
- Plumbing: no changes

Section 3.02.255 Penalty.

Any person, firm, corporation or agent who shall violate a provision of the International Existing Building Code or this division, or fail to comply therewith, or with any requirements thereof, or who shall erect, construct, alter, or install any electrical system, or has erected, constructed, altered or repaired any electrical system in violation of a detailed statement or drawing submitted and permitted thereunder, or of a permit or certificate issued pursuant to the provisions of this division or section 103 of Ordinance No. 0102 of the city (the zoning ordinance), shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine in accordance with the general penalty provided in section 1.01.009 of this code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.