



STAFF REPORT

DATE: December 11, 2018
TO: Ronald L. Olson, City Manager
FROM: Kathryn H. Davis, City Attorney
SUBJECT: Amending of Chapter 11

BACKGROUND AND FINDINGS:

The Texas State Legislature amended the Texas Local Government Code, Section 217.042 to remove a municipality's ability to restrict fireworks within the extraterritorial jurisdiction. Our ordinance should be amended to reflect the current law.

THE ALTERNATIVES CONSIDERED:

1. Do not amend Chapter 11 regarding the sale of fireworks in the City's ETJ.
2. Amend Chapter 11 to come in to be consistent with state law.

Which alternative is recommended? Why?

City Staff recommends 2, amending Chapter 11, to be consistent with state law.

CONFORMITY TO CITY POLICY:

This amendment is in compliance with City policy.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

N/A

Is this a one-time or recurring expenditure?

N/A

Is this expenditure budgeted?

N/A

If not, where will the money come from?

N/A

Is there a sufficient amount in the budgeted line-item for this expenditure?

N/A

RECOMMENDATION:

City Staff recommends the amending the City's Ordinance Chapter 11 to be consistent with state law.

DEPARTMENTAL CLEARANCES:

Fire Chief
Legal

ATTACHED SUPPORTING DOCUMENTS:

Ordinance