

Bastrop, TX City Council Meeting Agenda
Bastrop City Hall City Council Chambers
1311 Chestnut Street
Bastrop, TX 78602
(512) 332-8800



May 25, 2021 at 6:30 P.M.

City of Bastrop City Council meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary at (512) 332-8800 or write 1311 Chestnut Street, 78602, or by calling through a T.D.D. (Telecommunication Device for the Deaf) to Relay Texas at 1-800-735-2989 at least 48 hours in advance of the meeting.

The City of Bastrop reserves the right to reconvene, recess, or realign the Regular Session or called Executive Session or order of business at any time prior to adjournment.

PLEASE NOTE: ANYONE IN ATTENDANCE WISHING TO ADDRESS THE COUNCIL MUST COMPLETE A CITIZEN COMMENT FORM AND GIVE THE COMPLETED FORM TO THE CITY SECRETARY PRIOR TO THE START OF THE CITY COUNCIL MEETING. ALTERNATELY, IF YOU ARE UNABLE TO ATTEND THE COUNCIL MEETING, YOU MAY COMPLETE A CITIZEN COMMENT FORM WITH YOUR COMMENTS AT WWW.CITYOFBASTROP.ORG/CITIZENCOMMENTFORM BEFORE 5:00 P.M. ON May 25, 2021. COMMENTS SUBMITTED BY THIS TIME WILL BE DISTRIBUTED TO THE CITY COUNCIL PRIOR TO MEETING COMMENCEMENT, REFERENCED AT THE MEETING, AND INCLUDED WITH THE MEETING MINUTES. COMMENTS FROM EACH INDIVIDUAL WILL BE LIMITED TO THREE (3) MINUTES WHEN READ ALOUD.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

TEXAS PLEDGE OF ALLEGIANCE

Honor the Texas Flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

3. INVOCATION – Dustin Bartee, Senior Minister, Bastrop Christian Church

4. PRESENTATIONS

4A. Mayor's Report

4B. Council Members' Report

4C. City Manager's Report

5. WORK SESSION/BRIEFINGS - NONE

6. STAFF AND BOARD REPORTS

- 6A. Receive presentation on the unaudited Monthly Financial Report for the period ending April 30, 2021. (Submitted by: Tracy Waldron, Chief Financial Officer)
- 6B. Receive presentation on the new Safety Manual. (Submitted by: Tanya Cantrell, Director of Human Resource)

7. CITIZEN COMMENTS

At this time, three (3) minute comments will be taken from the audience on any topic. Anyone in attendance wishing to address the Council must complete a citizen comment form and give the completed form to the City Secretary prior to the start of the City Council meeting. Alternately, if you are unable to attend the council meeting, you may complete a citizen comment form with your comments at www.cityofbastrop.org/citizencommentform before 5:00 p.m. on May 25, 2021. Comments submitted by this time will be distributed to the city council prior to meeting commencement, referenced at the meeting, and included with the meeting minutes. Comments from each individual will be limited to three (3) minutes when read aloud. In accordance with the Texas Open Meetings Act, if a citizen discusses any item not on the agenda, City Council cannot discuss issues raised or make any decision at this time. Instead, City Council is limited to making a statement of specific factual information or a recitation of existing policy in response to the inquiry. Issues may be referred to City Manager for research and possible future action.

It is not the intention of the City of Bastrop to provide a public forum for the embarrassment or demeaning of any individual or group. Neither is it the intention of the Council to allow a member of the public to slur the performance, honesty and/or integrity of the Council, as a body, or any member or members of the Council individually or collectively, or members of the City's staff. Accordingly, profane, insulting, or threatening language directed toward the Council and/or any person in the Council's presence will not be tolerated.

8. APPROVAL OF MINUTES

- 8A. Consider action to approve City Council minutes from the May 11, 2021 Regular meeting. (Submitted by: Ann Franklin, City Secretary)


9. ITEMS FOR INDIVIDUAL CONSIDERATION

- 9A. Consider and adopt on first and final reading Ordinance No. 2021-04 as an emergency measure ratifying temporary Emergency Orders enacted by the Mayor in her capacity as Emergency Management Director in regards to the current Local State of Disaster, for the immediate preservation of the public peace, health, or safety.
- 9B. Hold public hearing and consider action to approve the first reading of Ordinance No. 2021-54 of the City Council of the City of Bastrop, Texas adopting amendments to Chapter 8 – Signs, including, Section 8.1.007 Non-conforming Signs, Section 8.1.009 Signs Requiring a Permit, Section 8.1.011 Sign Permit Requirements, Article 8.2 Master Plans, Article 8.3 On-Premises Sign Types & Standards, and Article 8.4 Temporary Signs, and Chapter 10 – Section 10.1.002 Definitions of the Bastrop Building Block B3 Code, as attached in Exhibit A; and providing for findings of fact, adoption, repealer, severability, and enforcement; and establishing an effecting date, and move to include on the June 8, 2021 Consent Agenda. (Submitted by: Jennifer Bills, Assistant Director of Planning)

- 9C. Consider action to approve Resolution No. R-2021-51 of the City Council of the City of Bastrop, Texas, authorizing proceeding with issuance of certificates of obligation and further directing the publication of notice of intention to issue City of Bastrop, Texas Combination Tax and Revenue Certificates of Obligation, Series 2021. (Submitted by: Tracy Waldron, Chief Financial Officer)
- 9D. Consider action to approve Resolution No. R-2021-53 of the City Council of the City of Bastrop, Texas, approving reappointment of Caroline A. McClimon, JD as Associate Judge, Bastrop Municipal Court, City of Bastrop; naming the appointed Judge to a term of two (2) years; authorizing the City Manager to execute a contract; attached as Exhibit A; providing for a repealing clause; and establishing an effective date. (Submitted by: Tracy Waldron, Chief Financial Officer)
- 9E. Consider action to approve the first reading of Ordinance No. 2021-52, of the City Council of the City of Bastrop, Texas, amending Chapter 12 – Traffic and Vehicles, to adopt article 12.14 Motor-Assisted Scooters, Electric Bicycles and Bicycles equipped with GPS; and providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; proper notice and meeting, and move to include on the June 8, 2021, consent agenda for a second reading. (Submitted by: Cliff Nagy, Chief of Police)
- 9F. Consider action to approve Resolution No. R-2021-55 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Sarah Rooney to Place 3 on the Parks Board/Public Tree Advisory Board, as required in Section 3.08 of the City's Charter, and establishing an effective date. (Submitted by: Paul A. Hofmann, City Manager)

13. ADJOURNMENT

I, the undersigned authority, do hereby certify that this Notice of Meeting as posted in accordance with the regulations of the Texas Open Meetings Act on the bulletin board located at the entrance to the City of Bastrop City Hall, a place of convenient and readily accessible to the general public, as well as to the City's website, www.cityofbastrop.org and said Notice was posted on the following date and time: Thursday, May 20, 2021 at 2:00 p.m. and remained posted for at least two hours after said meeting was convened.



Ann Franklin, City Secretary



STAFF REPORT

MEETING DATE: May 25, 2021

AGENDA ITEM: 4A

TITLE:

Mayor's Report

AGENDA ITEM SUBMITTED BY:

Paul A. Hofmann, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) For purposes of Subsection (a), "items of community interest" includes:

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;
- (3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;
- (4) a reminder about an upcoming event organized or sponsored by the governing body;
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and
- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

ATTACHMENTS:

- Power Point Presentation



STAFF REPORT

MEETING DATE: May 25, 2021

AGENDA ITEM: 4B

TITLE:

Council Members' Report

AGENDA ITEM SUBMITTED BY:

Paul A. Hofmann, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

(b) For purposes of Subsection (a), "items of community interest" includes:

- (1) expressions of thanks, congratulations, or condolence;
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- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.



STAFF REPORT

MEETING DATE: May 25, 2021

AGENDA ITEM: 4C

TITLE:

City Manager's Report

AGENDA ITEM SUBMITTED BY:

Paul A. Hofmann, City Manager

POLICY EXPLANATION:

Texas Local Government Code, Section 551.045 – Governing Body of Municipality or County: Reports about Items of Community Interest Regarding Which No Action Will Be Taken:

(a) Notwithstanding Sections 551.041 and 551.042, a quorum of the governing body of a municipality or county may receive from staff of the political subdivision and a member of the governing body may make a report about items of community interest during a meeting of the governing body without having given notice of the subject of the report as required by this subchapter if no action is taken and, except as provided by Section 551.042, possible action is not discussed regarding the information provided in the report.

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- (1) expressions of thanks, congratulations, or condolence;
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- (6) announcements involving an imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.



STAFF REPORT

MEETING DATE: May 25, 2021

AGENDA ITEM: 6A

TITLE:

Receive presentation on the unaudited Monthly Financial Report for the period ending April 30, 2021.

AGENDA ITEM SUBMITTED BY:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

The Chief Financial Officer provides the City Council a monthly financial report overview for all funds to include detailed analysis for General Fund, Water-Wastewater Fund, Bastrop Power & Light and the HOT Tax Fund.

REVENUE

General Fund is exceeding the forecast by almost 18%. This is attributed substantially to development fees and sales tax. Sales tax is 13% above forecast and the development services category of revenue is already \$288,735 over the budgeted amount.

HOT funds revenue is short of forecast due to COVID-19 impacting the hospitality industry to a greater extent than projected. The current projection is that we will experience a \$534,400 shortfall in revenue for FY2021.

The Capital Bond funds are short of forecast due to interest returns being lower than forecast.

Cemetery sales has improved since the beginning of the fiscal year and is now breakeven with the forecast.

All other funds are performing above forecast.

EXPENDITURES

The only fund with a negative variance to forecasted expenditures year to date is the Electric Fund. The Winter Storm Uri pass-through cost from LCRA had to be posted as an expense even though the amount is being paid out over 36 months. This variance will be corrected with a budget amendment that was approved in May.

This reporting requirement is set forth by the City of Bastrop Financial Management Policies, Chapter IV. Operating Budget, Section D. Reporting, as adopted by Resolution R-2020-77 on September 8, 2020.

ATTACHMENTS:

- Unaudited Monthly Financial Report for the period ending April 30, 2021

CITY OF BASTROP

Comprehensive Monthly Financial Report
April 2021



Performance at a Glance as of April 30, 2021



	YEAR TO DATE	REFERENCE
ALL FUNDS SUMMARY		
ALL FUNDS SUMMARY	POSITIVE	Page 3-4
SALES TAXES	POSITIVE	Page 5
PROPERTY TAXES	POSITIVE	Page 6
GENERAL FUND EXPENSE BY DEPARTMENT	POSITIVE	Page 7
WATER/WASTEWATER REVENUES	POSITIVE	Page 8
WATER/WASTEWATER EXPENDITURES BY DIVISION	POSITIVE	Page 9
ELECTRIC REVENUES	POSITIVE	Page 10
HOTEL OCCUPANCY TAX REVENUES	NEGATIVE	Page 11
HOTEL OCCUPANCY TAX EXPENDITURES BY DIVISION	POSITIVE	Page 12
LEGAL FEES BY ATTORNEY/CATEGORY	POSITIVE	Page 13
PERFORMANCE INDICATORS		
POSITIVE	= Positive variance or negative variance < 1% compared to seasonal trends	
WARNING	= Negative variance of 1-5% compared to seasonal trends	
NEGATIVE	= Negative variance of >5% compared to seasonal trends	

BUDGET SUMMARY OF ALL FUNDS

	<u>FY2021</u> <u>Approved Budget</u>	<u>FY2021</u> <u>Forecast YTD</u>	<u>FY2021</u> <u>Actual YTD</u>	<u>Variance</u>
<u>Revenues:</u>				
General	\$ 12,661,181	\$ 8,665,268	\$ 10,212,058	17.9%
Designated	63,583	23,642	29,878	26.4%
Innovation	795,894	645,894	646,180	0.0%
Street Maintenance	1,024,000	1,022,650	1,026,938	0.4%
Debt Service	2,863,181	2,566,314	2,609,928	1.7%
Water/Wastewater	6,572,900	3,441,082	3,919,997	13.9%
Water/Wastewater Debt	2,956,026	1,202,119	1,205,692	0.3%
Water/Wastewater Capital Proj	130,000	75,833	77,127	1.7%
Impact Fees	907,250	524,229	1,675,452	219.6%
Vehicle & Equipment Replacement	452,192	290,862	348,477	19.8%
Electric	7,154,050	3,584,025	3,590,022	0.2%
HOT Tax Fund	2,533,212	1,363,757	875,901	-35.8%
Library Board	20,600	8,500	10,857	27.7%
Cemetery	108,750	63,438	63,808	0.6%
Capital Bond Projects	1,105,793	1,061,131	1,009,571	-4.9%
Grant Fund	731,851	12,000	15,544	29.5%
Park/Trail Land Dedicaiton	1,865	1,088	1,408	29.4%
Hunter's Crossing PID	513,031	506,875	577,460	13.9%
Bastrop EDC	3,953,570	1,552,874	1,920,110	23.6%
TOTAL REVENUES	\$ 44,548,929	\$ 26,611,581	\$ 29,816,408	12.0%

POSITIVE

= Positive variance or negative variance < 1% compared to forecast

WARNING

= Negative variance of 1-5% compared to forecast

NEGATIVE

= Negative variance of >5% compared to forecast

BUDGET SUMMARY OF ALL FUNDS

	<u>FY2021</u> <u>Approved Budget</u>	<u>FY2021</u> <u>Forecast YTD</u>	<u>FY2021</u> <u>Actual YTD</u>	<u>Variance</u>
<u>Expense:</u>				
General	\$ 12,535,852	\$ 7,798,176	\$ 7,281,011	-6.6%
Designated	481,000	# 284,850	272,234	-4.4%
Innovation	958,130	508,668	509,845	0.2%
Street Maintenance	1,020,654	233,500	34,775	-85.1%
Debt Service	2,997,157	664,369	660,581	-0.6%
Water/Wastewater	6,213,872	3,481,687	3,209,956	-7.8%
Water/Wastewater Debt	2,174,353	729,578	729,578	0.0%
Water/Wastewater Capital Proj.	583,900	490,000	480,055	-2.0%
Impact Fees	910,250	78,750	74,689	-5.2%
Vehicle & Equipment Replacement	241,800	241,800	241,179	-0.3%
Electric	7,427,450	3,880,576	4,782,627	23.2%
HOT Tax Fund	2,795,012	2,070,948	1,778,238	-14.1%
Library Board	23,450	13,679	954	-93.0%
Park Dedication	100,000	-	-	0.0%
Cemetery	79,803	48,522	45,918	-5.4%
Hunter's Crossing PID	480,025	72,056	67,968	-5.7%
Capital Projects (Bond)	24,944,196	5,633,253	5,651,086	0.3%
Grant Fund	731,851	37,142	36,005	-3.1%
Bastrop EDC	5,131,091	2,245,575	1,822,020	-18.9%
TOTAL EXPENSES	\$ 69,829,846	\$ 28,513,129	\$ 27,678,719	-2.9%

POSITIVE

WARNING

NEGATIVE

= Negative variance or positive variance < 1% compared to forecast

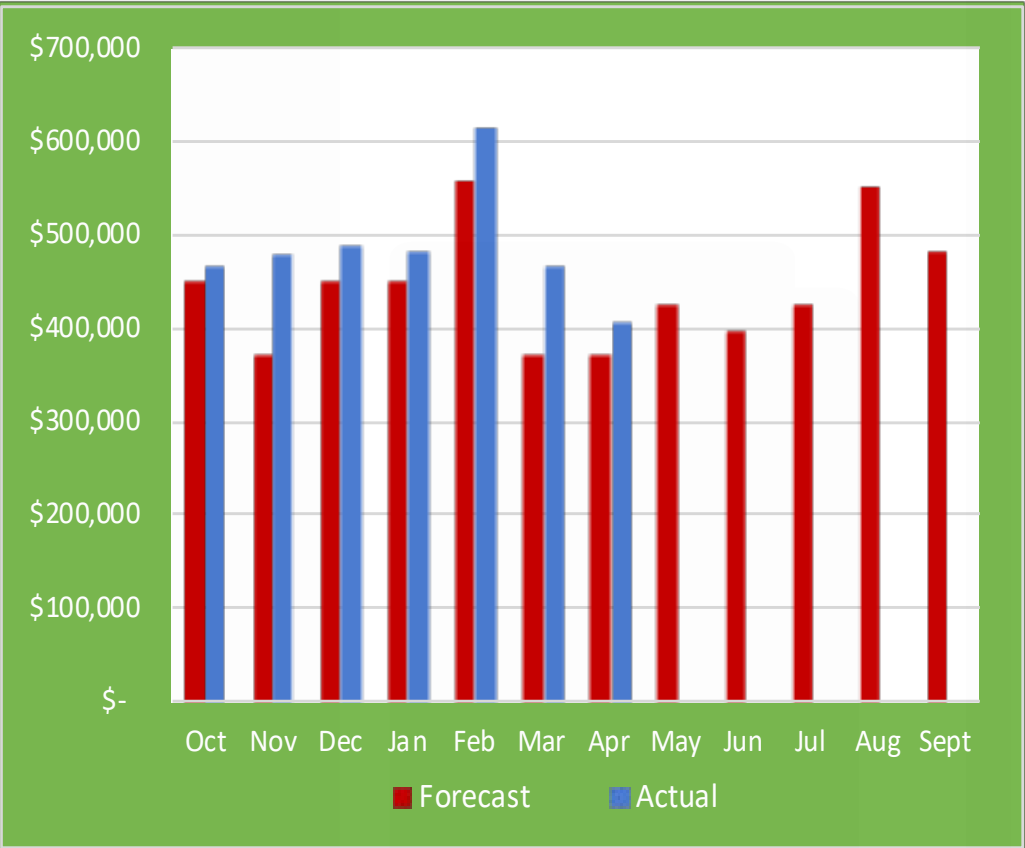
= Positive variance of 1-5% compared to forecast

= Positive variance of >5% compared to forecast

REVENUE ANALYSIS

SALES TAX REVENUE

Month	FY2021 Forecast	FY2021 Actual	Monthly Variance
Oct	\$ 447,689	\$ 464,945	\$ 17,256
Nov	368,685	477,068	\$ 108,383
Dec	447,689	484,697	\$ 37,008
Jan	447,689	478,752	\$ 31,063
Feb	553,028	609,630	\$ 56,602
Mar	368,685	464,043	\$ 95,358
Apr	368,685	404,900	\$ 36,215
May	421,355		\$ -
Jun	395,020		\$ -
Jul	421,355		\$ -
Aug	547,761		\$ -
Sept	479,291		\$ -
Total	\$ 5,266,932	\$ 3,384,035	\$ 381,885
Cumulative Forecast	\$ 3,002,150		
Actual to Forecast	\$ 381,885	12.7%	

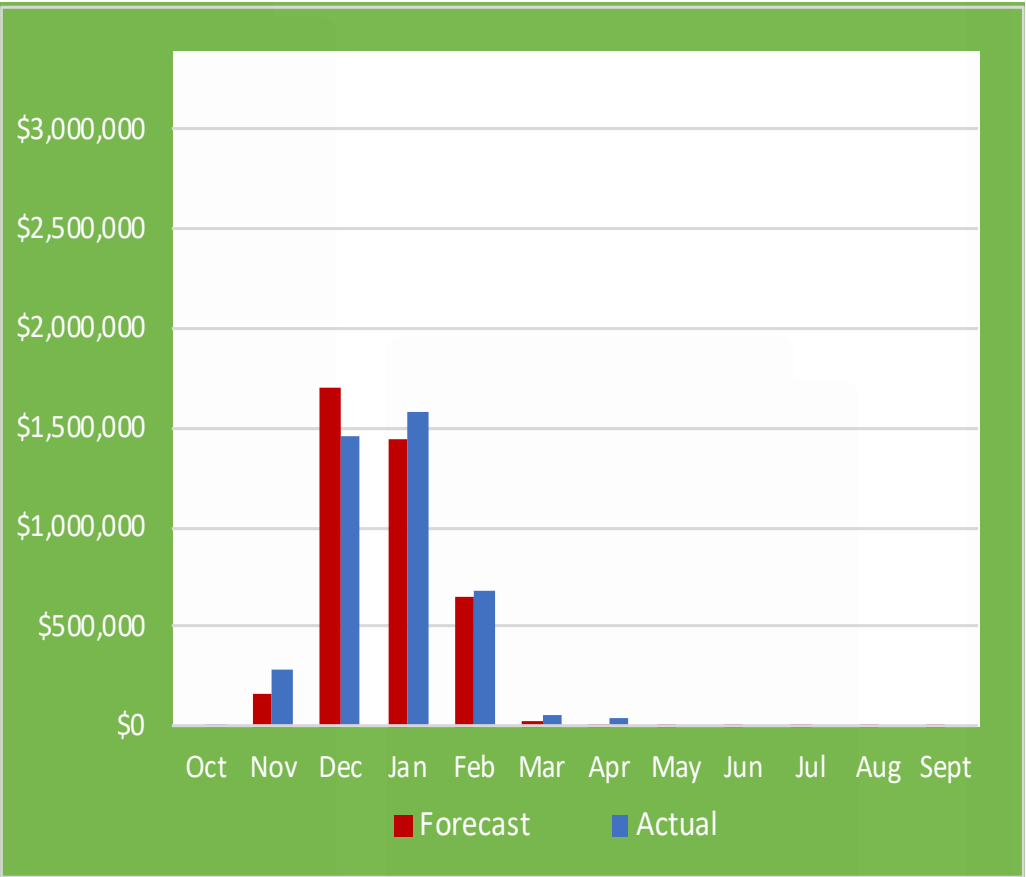


POSITIVE

Sales Tax is 42% of the total budgeted revenue for General Fund. The actual is 13% greater than forecasted.

PROPERTY TAX REVENUE

<u>Month</u>	FY2021 <u>Forecast</u>	FY2021 <u>Actual</u>	Monthly <u>Variance</u>
Oct	\$ -	\$ 696	\$ 696
Nov	161,543	280,465	\$ 118,922
Dec	1,696,205	1,451,029	\$ (245,176)
Jan	1,437,736	1,584,842	\$ 147,106
Feb	646,173	682,148	\$ 35,975
Mar	32,309	49,771	\$ 17,462
Apr	16,154	41,972	\$ 25,818
May	16,154		
Jun	8,077		
Jul	8,077		
Aug	8,077		
Sept	8,077		
Total	\$ 4,038,582	\$ 4,090,923	\$ 100,803
Cumulative Forecast	\$ 3,990,120		
Actual to Forecast	\$ 100,803	2.53%	



POSITIVE

Property tax represents 31% of the total General Fund revenue budget. As you can see from the forecast, they are generally collected from December to February. The actual is 2.5% over forecast. The timing of when these payments are received does not stay consistent from year to year which increases the difficulty of forecasting the monthly receipts.

GENERAL FUND EXPENDITURES BY DEPT.

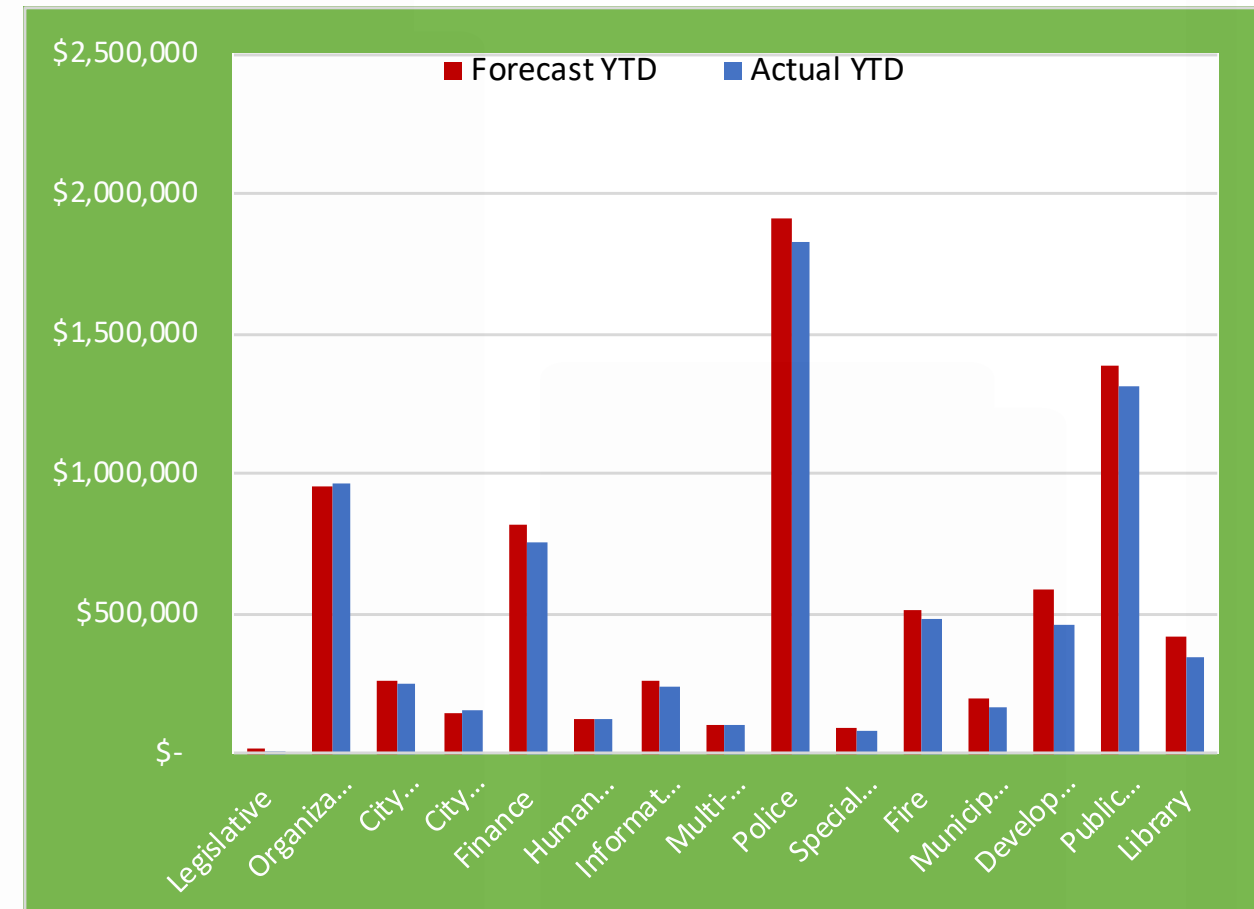
<u>Division</u>	FY2021 <u>Forecast YTD</u>	FY2021 <u>Actual YTD</u>	<u>Variance</u>
Legislative	\$ 20,465	\$ 11,229	\$ (9,236)
Organizational	959,261	961,124	\$ 1,863
City Manager	256,646	248,589	\$ (8,057)
City Secretary	150,636	155,023	\$ 4,387
Finance	818,955	757,660	\$ (61,295)
Human Resources	124,129	119,735	\$ (4,394)
Information Technology	261,623	238,107	\$ (23,516)
Multi-Media	106,723	103,739	\$ (2,984)
Police	1,912,690	1,825,448	\$ (87,242)
Special Events/Reserv.	93,571	86,715	\$ (6,856)
Fire	516,150	484,928	\$ (31,222)
Municipal Court	193,187	163,298	\$ (29,889)
Development Services	589,063	465,806	\$ (123,257)
Public Works	1,381,289	1,314,655	\$ (66,634)
Library	413,788	344,953	\$ (68,835)
Total	\$ 7,798,176	\$ 7,281,009	\$ (517,167)

Actual to Forecast

93.4%

POSITIVE

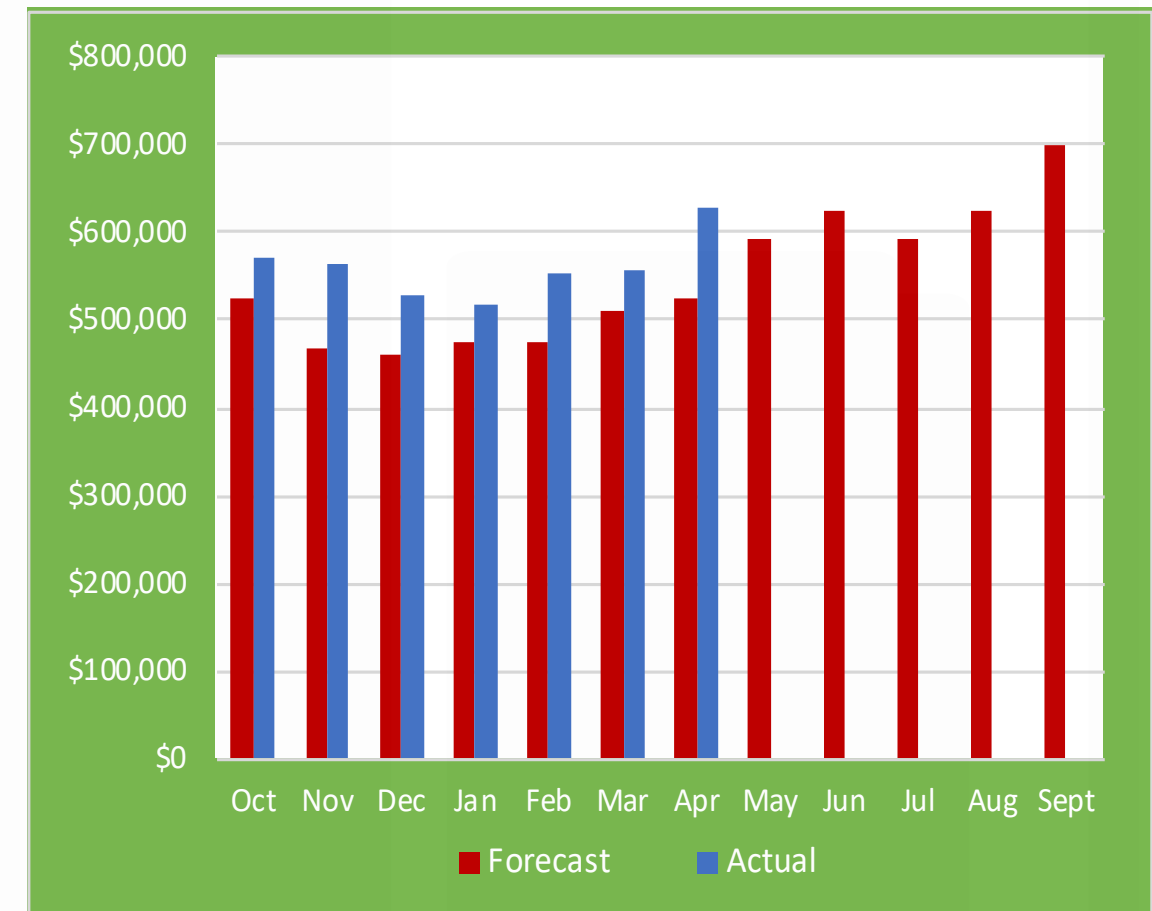
This is a new page to the financial report that looks at forecast to actual by department within the General Fund. YTD the actual is 93% of forecast. We will continue to refine our forecast based on historic patterns and understanding of what has been budgeted.



REVENUE ANALYSIS

WATER/WASTEWATER REVENUE

<u>Month</u>	<u>FY2021 Forecast</u>	<u>FY2021 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 525,920	\$ 572,388	\$ 46,468
Nov	466,616	564,581	\$ 97,965
Dec	460,044	527,318	\$ 67,274
Jan	476,204	518,692	\$ 42,488
Feb	476,616	552,417	\$ 75,801
Mar	509,760	555,134	\$ 45,374
Apr	525,920	629,467	\$ 103,547
May	591,384		
Jun	624,116		
Jul	591,796		
Aug	624,528		
Sept	699,992		
Total	\$ 6,572,896	\$ 3,919,997	\$ 478,917
Cumulative Forecast	\$ 3,441,080		
Actual to Forecast	\$ 478,917	13.92%	



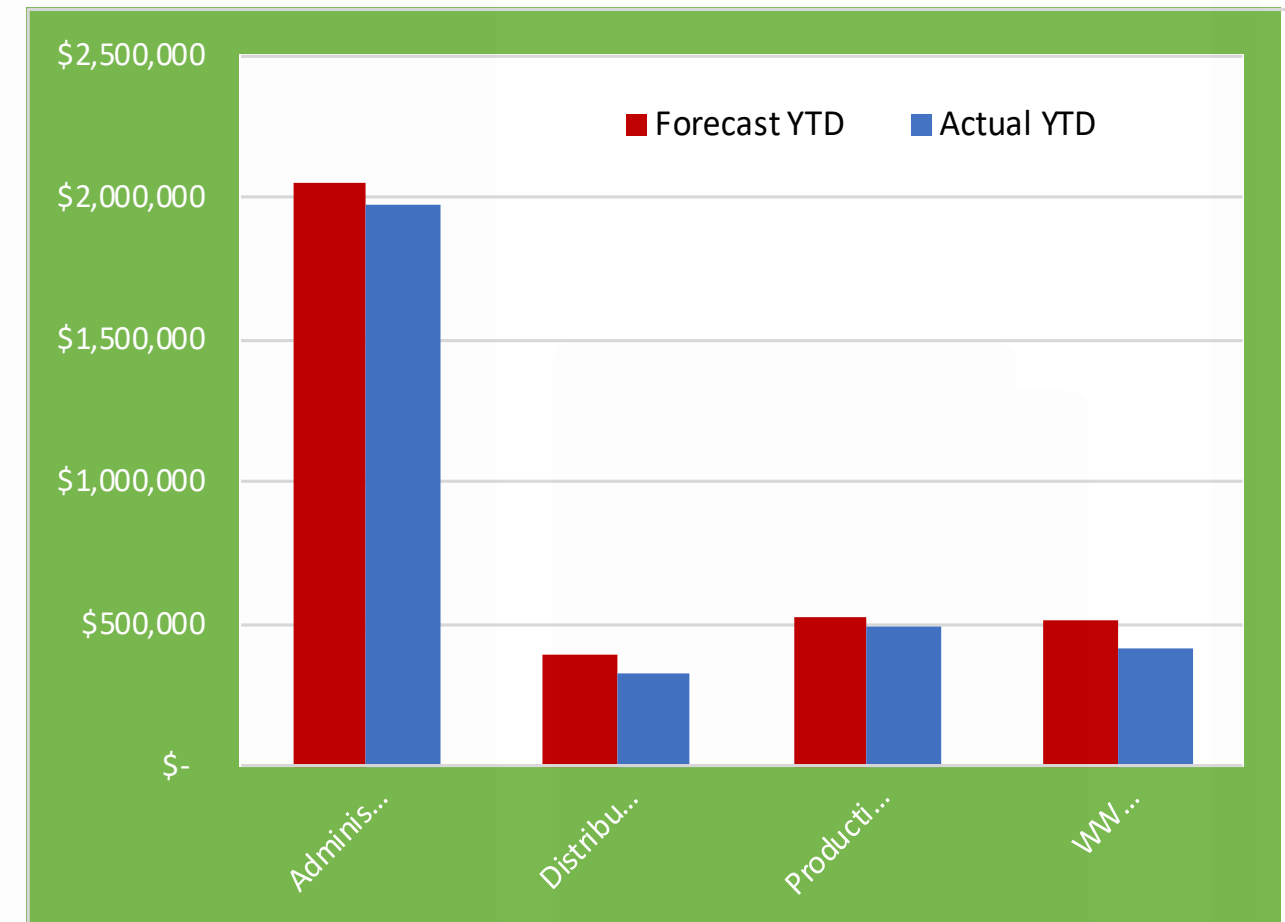
POSITIVE

The water and wastewater actual revenue is higher than forecast almost 14%. There were 29 new meters set this month all residential.

EXPENSE ANALYSIS

WATER/WASTEWATER EXPENDITURES BY DIVISION

<u>Division</u>	FY2021 <u>Forecast YTD</u>	FY2021 <u>Actual YTD</u>	<u>Variance</u>
Administration	\$ 2,050,536	\$ 1,979,514	\$ (71,022)
Distribution/Collection	397,264	322,992	\$ (74,272)
Production/Treatment	522,282	493,855	\$ (28,427)
WW Treatment Plant	<u>511,605</u>	<u>413,595</u>	<u>\$ (98,010)</u>
Total	<u>\$ 3,481,687</u>	<u>\$ 3,209,956</u>	<u>\$ (271,731)</u>
Actual to Forecast		92.2%	



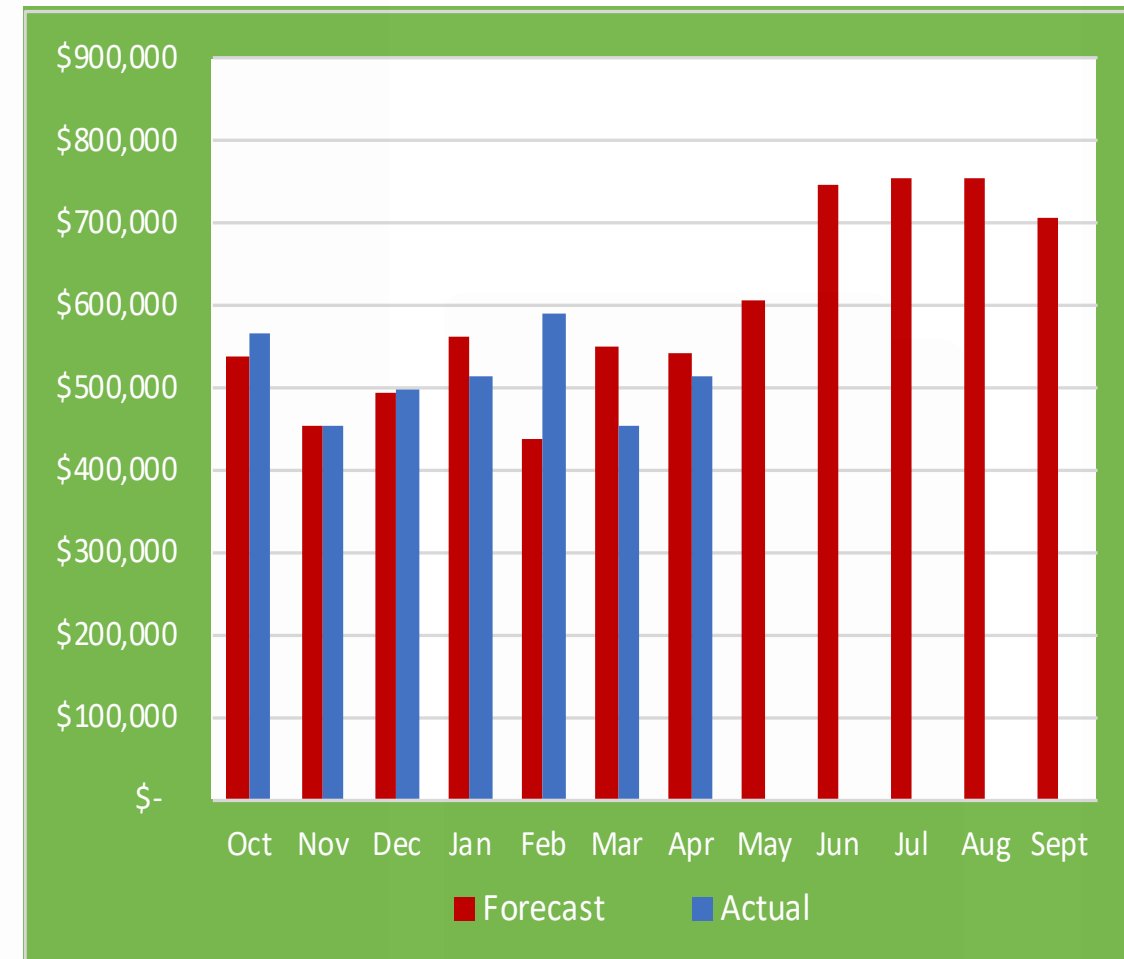
POSITIVE

This is a new page in the Financial Report that tracks the actual to forecast by divisions within the Water/Wastewater department. The actual is 92% of forecast.

REVENUE ANALYSIS

ELECTRIC FUND REVENUE

<u>Month</u>	<u>FY2021 Forecast</u>	<u>FY2021 Actual</u>	<u>Monthly Variance</u>
Oct	\$ 537,087	\$ 566,455	\$ 29,368
Nov	452,966	454,582	\$ 1,616
Dec	495,027	497,321	\$ 2,294
Jan	563,804	513,921	\$ (49,883)
Feb	439,936	589,838	\$ 149,902
Mar	551,107	453,586	\$ (97,521)
Apr	544,097	514,320	\$ (29,777)
May	607,188		
Jun	747,389		
Jul	754,399		
Aug	754,399		
Sept	706,651		\$ -
Total	\$ 7,154,050	\$ 3,590,023	\$ 5,999
Cumulative Forecast	\$ 3,584,024		
Actual to Forecast	\$ 5,999	0.17%	



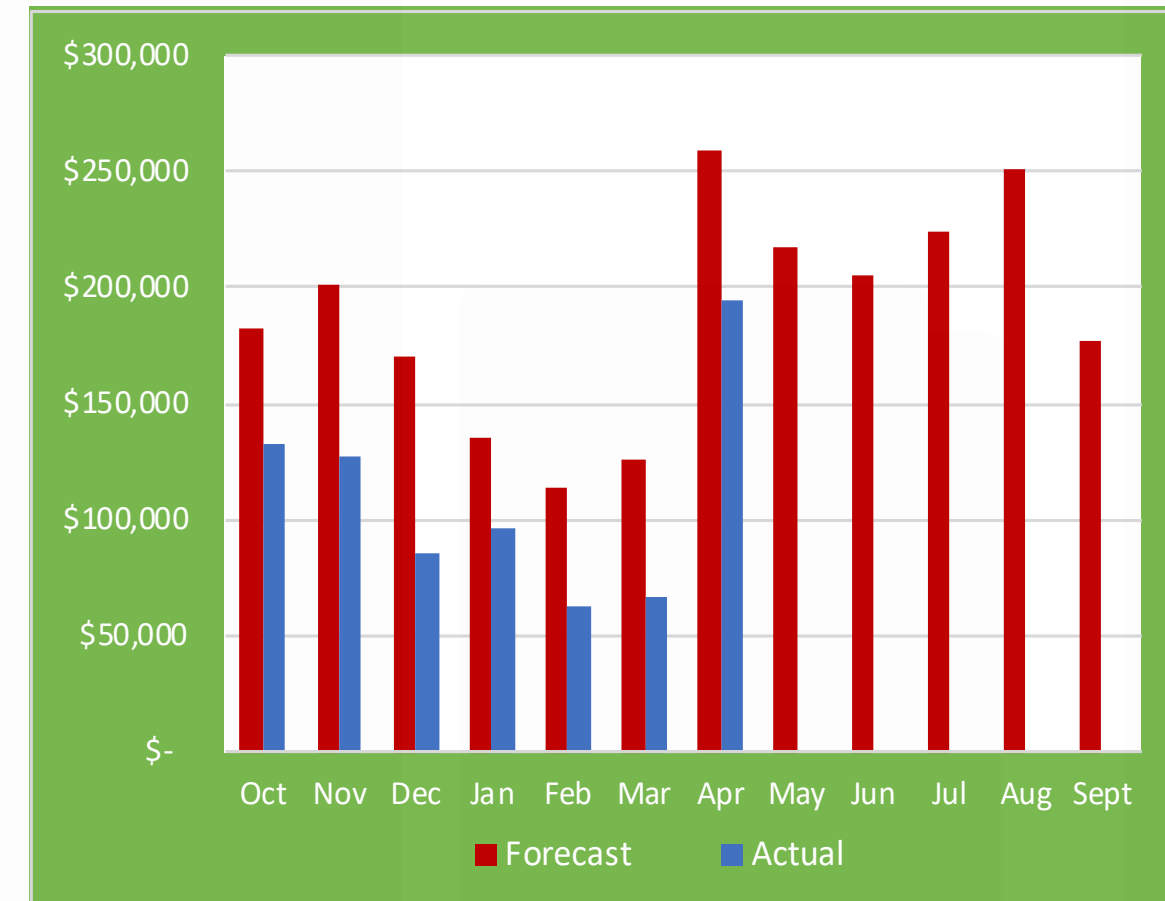
POSITIVE

The Electric utility revenue is just slightly above forecasted revenue. There were 3 new meters set this month all commercial.

REVENUE ANALYSIS

HOTEL OCCUPANCY TAX REVENUE

Month	FY2021 Forecast	FY2021 Actual	Monthly Variance
Oct	\$ 182,735	\$ 132,707	\$ (50,028)
Nov	201,789	127,813	\$ (73,976)
Dec	170,328	85,533	\$ (84,795)
Jan	134,764	96,666	\$ (38,098)
Feb	113,497	62,522	\$ (50,975)
Mar	126,348	67,186	\$ (59,162)
Apr	259,365	195,099	\$ (64,266)
May	217,006		
Jun	205,131		
Jul	224,808		
Aug	251,780		
Sept	176,849		
Total	\$ 2,264,400	\$ 767,526	\$ (421,300)
Cumulative Forecast	\$ 1,188,826		
Actual to Forecast %	\$ (421,300)	-35.4%	



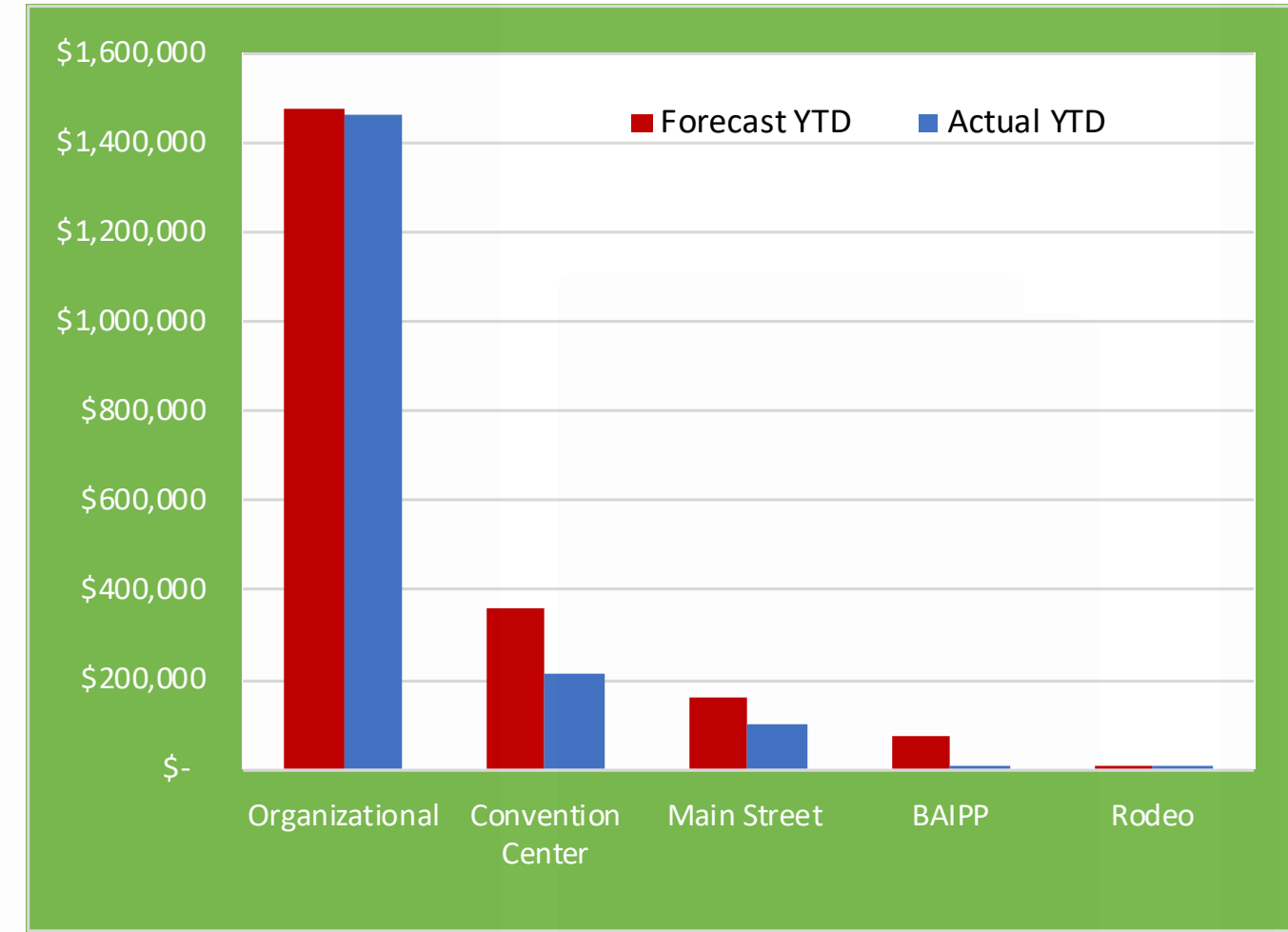
NEGATIVE

So far YTD we are over 35% negative actual to forecast. ***The Hotel Tax revenue YTD is \$508,295 less than same time last year.***

EXPENSE ANALYSIS

HOTEL OCCUPANCY TAX EXPENDITURES BY DIVISION

<u>Division</u>	<u>FY2021 Forecast YTD</u>	<u>FY2021 Actual YTD</u>	<u>Variance</u>
Organizational	\$ 1,477,079	\$ 1,464,392	\$ (12,687)
Convention Center	360,394	212,915	\$ (147,479)
Main Street	159,023	98,515	\$ (60,508)
BAIPP	72,760	374	\$ (72,386)
Rodeo	<u>1,692</u>	<u>2,042</u>	<u>\$ 350</u>
Total	<u>\$ 2,070,948</u>	<u>\$ 1,778,238</u>	<u>\$ (292,710)</u>
Actual to Forecast		85.9%	



POSITIVE

This is a new page in the Financial Report that shows the actual to forecast for each division located in the Hotel Occupancy Tax Fund. YTD is reporting actual over 86% of forecast.

Legal fees by Attorney/Category

COMPREHENSIVE MONTHLY FINANCIAL REPORT – April 2021

FIRM	CASE	FY18-19	FY19-20	FY20-21
BUNDREN				
	Pine Forest Interlocal	\$ 6,195	\$ 1,298	\$ 944
BOJORQUEZ				
	General Legal	\$ 432,931	\$ 185,102	\$ 76,804
	NEU Review	\$ -	\$ -	\$ 7,956
	COVID-19	\$ -	\$ 8,687	\$ 186
	Vandiver	\$ 1,857	\$ -	\$ -
	Pine Forest Interlocal	\$ -	\$ 1,275	\$ -
	Prosecutor (Municipal Court)	\$ 23,357	\$ 15,526	\$ 6,636
	Water/WW	\$ 46,721	\$ 57,168	\$ 42,693
RUSSEL RODRIGUEZ HYDE				
	Hunter's Crossing PID	\$ -	\$ 7,378	\$ 335
MULTIPLE FIRMS				
	XS Ranch Water Rights	\$ 6,204	\$ 4,888	\$ -
	Hunter's Crossing PID	\$ 89,899	\$ 10,391	\$ -
TAYLOR, OLSON, ADKINS, SRALLA & ELAM				
	Red Light Camera Suit	\$ 717	\$ 64	\$ -
		<u>\$ 607,881</u>	<u>\$ 291,777</u>	<u>\$ 135,553</u>

SUMMARY OF CASE/TYPE

Row Labels	Sum of FY18-19	Sum of FY19-20	Sum of FY20-21
COVID-19	\$ -	\$ 8,687	\$ 186
General Legal	\$ 432,931	\$ 185,102	\$ 76,804
Hunter's Crossing PID	\$ 89,899	\$ 17,769	\$ 335
Pine Forest Interlocal	\$ 6,195	\$ 2,573	\$ 944
Prosecutor (Municipal Court)	\$ 23,357	\$ 15,526	\$ 6,636
Red Light Camera Suit	\$ 717	\$ 64	\$ -
Vandiver	\$ 1,857	\$ -	\$ -
Water/WW	\$ 46,721	\$ 57,168	\$ 42,693
XS Ranch Water Rights	\$ 6,204	\$ 4,888	\$ -
NEU Review	\$ -	\$ -	\$ 7,956
Grand Total	\$ 607,881	\$ 291,777	\$ 135,553



STAFF REPORT

MEETING DATE: May 25, 2021

AGENDA ITEM: 6B

TITLE:

Receive presentation on the new Safety Manual.

AGENDA ITEM SUBMITTED BY:

Tanya Cantrell, Human Resources Director

BACKGROUND/HISTORY:

In the first quarter of Fiscal Year 2021, the City created three cross-functional teams with one of those being the Safety Team. The purpose of the Team is to promote workplace safety, reduce the risk of workplace injuries and illnesses, inform, and educate employees about safety and health issues throughout all levels of each department, and set meaningful and attainable goals for safety throughout the organization. The ultimate goal is for all employees to safely return to their families at the end of each workday. The ten member team includes a staff representative from multiple departments within the City of Bastrop. The team meets monthly with the mission of protecting the City's most important and valued resource, our employees. The Human Resources Director met individually with each team member to determine the safety needs of each department. The overall consensus of the group was that they wanted a cross-functional safety manual that employees in all departments can reference when performing their daily duties. This Safety Manual has been reviewed by all of the departments, as well as our Texas Municipal League Safety Representative, Darral Oliver for accuracy, relevance, and overall inclusion of the hazards our employees face on a daily basis.

POLICY EXPLANATION:

N/A

FUNDING SOURCE:

N/A

RECOMMENDATION:

Receive the report and provide feedback as appropriate

ATTACHMENTS:

Employee Safety Manual

CITY OF BASTROP SAFETY MANUAL

Effective 2021



SAFETY FIRST

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MANAGEMENT STATEMENT OF SAFETY

Dear Employee:

The success of the City of Bastrop depends upon the efficient and effective use of resources to maintain high quality services for the citizens of our community. Our most important resource is our employees and, to protect this resource, we are committed to providing a safe and healthy workplace for all employees by establishing and maintaining an effective safety and accident prevention program. Safety is, and will continue to be, a fundamental part of our organization's operations.

The responsibility for safety resides within all of us and we are each challenged to stay informed and to take responsibility for our own safety and the safety of our co-workers. To ensure the success of the safety process, we must all give our full participation and support to the safety policies and procedures that have been developed to protect us. Working safely, and in accordance with established safety policies, is an absolute requirement for all employees, supervisors, and managers.

(City Manager) Signature

Date

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SAFETY RESPONSIBILITIES

The Department Director has the responsibility to administer and implement this Safety & Accident Prevention Plan, assigning tasks to staff members as defined within the individual components.

Management Safety Responsibilities

Managers are responsible for providing a place of employment that is free from recognized hazards that could result in injuries or accidents. Since it is impossible for managers to personally observe all employee activities, they must ensure that all supervisors and employees alike are trained and are aware of their safety responsibilities. Other safety responsibilities for managers include:

- Provide leadership and direction concerning safety activities.
- Participate actively in the continuous evaluation of the safety program.
- Set goals concerning safety performance within the department.
- Review losses for potential trends on a regular basis.
- Enforce all safety rules.
- Participate in facility and work site audits.
- Participate and support all accident investigation activities.
- Review accident reports and recommend corrective actions.

Supervisor Safety Responsibilities

Safety is as much a part of the supervisor's responsibility as is getting the job done efficiently. In addition to the aforementioned responsibilities of managers, the important safety responsibilities of each and every supervisor also includes:

- Familiarize yourself with and enforce the safety rules and regulations that have been established by applicable local, state, and federal organizations. These regulations are intended to set minimum standards for safety and the contents of the regulations should be enforced as minimum safety requirements for all activities on our work sites or in our facilities.
- Correct, or have corrected, all reported hazards. Operating under known hazardous conditions will not be tolerated.
- Do not permit new or inexperienced employees to work with power tools, machinery or complex equipment without proper instruction and training.
- Give adequate instructions. Do not assume that an employee knows how to do a job unless you personally have knowledge that the person can perform that task correctly.
- Ensure tools, equipment, and machinery being used in the workplace are in proper working condition.

- Ensure that proper personal protective equipment is available and utilized by employees when necessary or required.
- Always set a good example in safety, such as wearing the proper personal protective equipment and following policies and procedures.
- Consistently enforce the requirements of the organization's safety program and any associated rules or policies.
- Ensure that all employees have access to a copy of the organization's safety manual.
- Encourage safety suggestions from employees under your supervision.
- Obtain prompt first aid for injured employees.
- Participate in accident or incident investigations involving your employees.
- Conduct audits of all work areas and facilities on a regular basis in an effort to improve housekeeping, eliminate unsafe conditions and encourage safe work practices.

Employee Safety Responsibilities

Employees bear a certain amount of responsibility in any safety program. You must be aware that your actions, knowledge, mental state, physical condition, and attitude directly affect the safety of yourself and your fellow employees. All employees will:

- Know your job, follow instructions, and think before you act.
- Use appropriate personal protective equipment as dictated by the job and by policy.
- Work according to written safety practices as trained, posted, instructed, or discussed.
- Refrain from any unsafe act that might endanger yourself or your fellow workers.
- Never take short-cuts and will use all safety devices provided for your protection.
- Report any unsafe situation or act to your supervisor immediately.
- Assume responsibility for thoughtless or deliberate acts that may cause injury to yourself or your fellow workers.
- Never operate equipment that you are unfamiliar with or not trained to use. Also, equipment that is defective or in need of repair shall not be used and must be reported to your supervisor.
- Report all accidents/incidents to your supervisor as soon as they occur.

ACCIDENT/INCIDENT INVESTIGATION POLICY

It is the policy of the City of Bastrop to investigate all work-related accidents, incidents, or 'near misses' that result in or could potentially have resulted in injury or property damage. As nearly all accidents and incidents have their own unique characteristics, only general rules and procedures can be outlined within this policy.

An **accident** is defined as "an undesirable or unfortunate happening that occurs unintentionally and usually results in harm, injury, damage, or loss". Examples of accidents include on-the-job injuries (regardless of severity) or vehicle collisions. An **incident** is defined as "an occurrence of seemingly minor importance". Examples of incidents include 'near misses' or events where injuries other accidents 'almost' occurred.

The standard City of Bastrop *Accident/Incident Investigation Report* will be used for all investigations.

Roles and Responsibilities

- Employees must immediately report to their supervisor any on-the-job injury or illness they sustain, or suspect they have sustained, no matter how minor. They must also report any incidents that had the potential for injury to employees or third parties and any instances where property damage occurred.
- Supervisors shall first respond to the immediate medical needs of any injured persons. Following any necessary medical attention, they should begin reporting and investigative activities as described in this policy.
- Witnesses to the event that resulted in the accident or incident will provide statements about what they observed. Witnesses may also be asked to participate in the initial and/or final investigations.
- The Department Director is responsible for receiving the reports of injury and forwarding them to the Human Resource department. All property damage or third party injuries must be reported to the TML Fund contact for the City in the Finance Department.

Investigation Procedures

The following procedures will be followed for any accident or incident as defined above.

- **Initial Notification**
Employees are responsible for reporting all injuries, illnesses, or incidents as described earlier in this policy. Failure to report any injury or incident may be cause for disciplinary action. In the event of a serious or disabling injury, fellow employees must assume this reporting responsibility.
- **Treatment**
Any injury should be treated by the supervisor or other available personnel in accordance with the individual abilities of the employee and the severity of the injury. Medical treatment is mandatory for any of the following:

- Severe chest pains
- Traumatic injuries
- Loss of consciousness or severe dizziness

The first responders to any incident scene will be responsible for securing the area to prevent further damage or injury and also protecting the integrity of the incident scene until an investigation can be initiated.

Any incident or accident involving possible exposures to blood-borne pathogens, communicable diseases, or any other contagious substance shall be handled in accordance with those specific procedures regarding that particular incident.

Injured employees are to be transported for medical treatment either by ambulance or another person, depending on the severity of the injury. Injured employees should never be allowed to transport themselves for initial medical treatment.

If an employee refuses medical treatment for an on-the-job injury, the report should be completed and the employee's signature used to document the employee's refusal.

- **Drug/Alcohol Policy Requirements
(See City of Bastrop Personnel Policy)**

- **Accident Review Board**

All accidents involving fleet damage, property damage or bodily injury requiring more than first aid to an employee or other person will be investigated by the Accident Review Committee.

The Assistant Fire Chief shall serve as the lead investigator of the Accident Review Committee. The other members shall consist of the Human Resources Director, the Director of Public Works, assigned staff or others as may be assigned by the City Manager. A member of the Finance Team will be present for property damage investigations. If the official representative is unable to attend a meeting they shall designate an individual who shall serve as a replacement. The appointment of said replacement shall not be subject to change from meeting to meeting in order to ensure that consistency prevails. The Accident Review Committee meets on an as needed basis when the Lead Investigator calls a meeting. In its investigation of vehicle accidents, the Committee reviews all information pertinent to the accident in order to determine whether the accident was preventable or non-preventable. The Department Director may recommend that disciplinary action be taken against the negligent party. Such disciplinary action may include, but is not limited to, financial reimbursement to damaged City property, written warnings, suspension without pay and, in severe cases, termination.

The Lead Investigator shall prepare a written report within five (5) working days of each meeting for submission to the City Manager and the Human Resources Director and copies shall be made available to all Safety Committee members and to applicable department directors. This report shall contain the following information:

1. All issues discussed during said meeting,
2. The recommendations made by the Accident Review Committee, and
3. The name(s) of any representatives who failed to attend the scheduled meeting or who failed to send a designated person in their place.

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SAFETY EDUCATION & TRAINING POLICY

Safety Meetings & Training

Safety meetings are an effective way to encourage, educate, and train employees on safe work practices and will be held on a regular basis, based upon the specific department or operation. The Department Director will provide information to be used in the meetings and will attend and participate in the meetings when possible. Safety meetings will normally be conducted by Department Supervisors, however employees may be requested or required to assist in conducting trainings. Discussions of safety rules, possible hazards to be encountered in future job duties, or changes in procedures or equipment are some topics that should be covered on a regular basis. Topics discussed during safety meetings should pertain to the specific hazards associated with the employee's assigned job or task as well as general hazards associated with the workplace. All employee safety meetings and trainings will be documented.

Special Training

Additional or specialized safety training will be conducted for the following areas as the need arises:

- New equipment purchases
- New/changes in operations
- Identified areas of increased accidents
- Newly identified areas of exposure

New Employee Safety Orientation

The Department Director and/or Supervisors will provide an orientation to all new employees to address the hazards associated with their position and will include a review of all safety rules, policies/procedures, and equipment that are applicable to the employee's area of assignment. New employees will be given an opportunity to ask relevant questions that may pertain to their assigned duties and safety. Documentation of the new employee safety orientation will be completed using the appropriate form and will be maintained by the Department Director.

Documentation of Safety Meetings & Training

Documentation from any formal meeting, 'tailgate' meeting, or training courses attended by employees, supervisors, or managers will also be maintained for recordkeeping purposes using the appropriate form. Documentation should include the topic(s) covered, presenter information, and copies of any materials or handouts used during the training.

SAFETY AUDIT & INSPECTION POLICY

In an effort to detect unsafe acts or unsafe conditions and initiate necessary corrective actions as soon as possible, regularly scheduled, documented inspections will be conducted for all City of Bastrop facilities, vehicles, and equipment. The Department Director will coordinate the completion of these inspections with the appropriate departmental personnel. Employees may be requested or required to assist in conducting the inspections.

Employees are responsible to continually inspect their work areas, vehicles, and equipment for possible hazards. Potential hazards should be immediately reported to supervisory personnel. Required corrective actions should be documented for any identified deficiencies. Follow-up after corrective actions have been taken should also be documented.

The appropriate City of Bastrop departmental inspection forms will be completed for each facility, vehicle, or piece of equipment as prescribed by the Department Director. Employees assigned to drive City of Bastrop vehicles and/or machinery and equipment will conduct inspections and complete the applicable forms as directed. All completed inspection reports will be maintained and kept by the Department Director.

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RECORDKEEPING POLICY

It is the policy of the City of Bastrop to maintain records of all safety and accident documents as prescribed by the Texas State Library and Archives Commission Archives Retention Schedules or other Federal or State requirement. The Department Director will perform annual checks of the records for inclusion of all required safety documentation as described in this policy and will ensure that records are maintained by the City of Bastrop and will include, but are not limited to:

Injury Loss Records (Maintained in HR)

- Employer's First Report of Injury
- Supplemental Report of Occupational Injury or Illness
- Claim and loss information from TMLIRP for all lines of coverage shall be maintained as well. This information will be used for various means of trend analysis.

Accident Investigation Reports (Property Investigation will be maintained in Finance & Personal Injury will be maintained in HR)

The Department Director will ensure that an accident investigation report is completed for each reported accident or incident. A copy of all completed accident investigation reports will be maintained in Human Resources. Only City of Bastrop approved accident investigation report forms shall be used to document accident investigation data.

Inspection Reports (Maintained in each department)

All vehicle, equipment, and facility inspection reports will be maintained by the Department Director and will ensure that all required inspection reports are completed in a timely manner. Only City of Bastrop approved inspection forms will be used. Follow-up to necessary corrective actions, including date, tasks, or jobs completed, should be documented as well.

Safety Meetings & Training Records (Maintained in each department)

Documentation of monthly safety meetings and other training records will be maintained by the Department Director. Only City of Bastrop approved safety meeting forms shall be used to document the activities. When safety meetings are used as training activities, appropriate notations should be made on the form.

HAZARD COMMUNICATION PROGRAM

General Information

The Texas Hazard Communication Act (THCA), codified as Chapter 502 of the Texas Health and Safety Code (HSC), requires all public employers in Texas to provide their employees with information regarding hazardous chemicals to which employees may be exposed in their workplace. In order to comply with Section 502.009(b) of the THCA and Section 295.7(a) of the THCA Rules (Title 25 of the Texas Administrative Code (TAC), Section 295.1-295.12), the following written Hazard Communication Program has been established for City of Bastrop.

The master copy of the written hazard communication program will be maintained at City Hall. Copies of the written program will be modified as needed for each separate workplace where hazardous chemicals are used or stored and a copy maintained at each workplace. The written program will be available to all employees and their representatives upon request.

To facilitate administration of and compliance with this Program, the following levels of responsibility have been established:

- The Department Director will have overall responsibility for administering and maintaining this program and ensuring that it meets all requirements of the THCA.

Exemptions

The following chemicals are exempt from the requirements of the THCA and are outside the scope of this written program:

- Hazardous waste that is subject to regulation by the Texas Commission on Environmental Quality and/or the U.S. Environmental Protection Agency.
- A chemical in a laboratory under the direct supervision or guidance of a “technically qualified individual” if:
 - Labels on incoming containers of chemicals are not removed or defaced,
 - This employer complies with Sections 502.006 and 502.009 of the THCA with respect to laboratory employees; and
 - The laboratory is not used primarily to produce hazardous chemicals in bulk for commercial purposes.
- Tobacco or tobacco products.
- Wood or wood products.

- Articles formed to a specific shape or design during manufacture and that does not release or otherwise result in exposure to a hazardous chemical under normal conditions of use.
- Food, drugs, cosmetics or alcoholic beverages.
- Consumer products or hazardous substances used in the workplace in the same manner as normal consumer use and if the use results in a duration and frequency of exposure that is not greater than exposures experienced by a consumer.
- Radioactive waste.

Workplace Chemical List

- The City of Bastrop will develop and maintain a list of hazardous chemicals normally present in the workplace in excess of 55 gallons or 500 pounds. This Workplace Chemical List will be developed for each workplace where such quantities of hazardous chemicals are used or stored and will be available for review by employees and their designated representatives.
- The Department Director will be responsible for reviewing and updating the Workplace Chemical List for the City of Bastrop as necessary.
- The Workplace Chemical List will be maintained for at least 30 years or as prescribed by the Texas State Library and Archives Commission Archives Retention Schedules or other Federal or State requirement.
- Further information on each noted chemical can be obtained by reviewing Safety Data Sheets (SDSs) located in each workplace where these hazardous chemicals are used or stored.

Safety Data Sheets

- The Department Director will maintain a current and appropriate Safety Data Sheet (SDS) for each hazardous chemical purchased.
 - Incoming SDSs are reviewed for new and significant health/safety information and that any new information is passed on to the affected employees.
 - Hazardous chemicals received without an SDS are withheld from use until a current SDS is obtained.
 - Missing SDSs are requested from an appropriate source (e.g., chemical manufacturer, distributor, or electronic database) within 30 days from receipt of the hazardous chemical.
 - Affected employees are provided a description of any alternative system (such as electronic databases) being used in lieu of actual SDSs.

- Emergency responders are provided SDSs as soon as practical upon request.
- SDS files for the City of Bastrop will be kept at each location.
- SDSs will be readily available for review by employees or their designated representatives upon request.

Chemical Container Labels

- All containers of hazardous chemicals used, transported, or stored by employees will be appropriately labeled.
- The Department Director will be responsible for the hazardous chemical labeling system and will verify that:
 - All **primary** containers of hazardous chemicals are clearly labeled to include:
 - The identity of the chemical as it appears on the SDS.
 - The appropriate hazard warnings.
 - The name and address of the manufacturer.
 - All **secondary** containers of hazardous chemicals are clearly labeled to include:
 - The identity of the chemical as it appears on the SDS.
 - The appropriate hazard warnings.
 - A description of alternative labeling systems, if used, is provided to employees. Examples of alternative labeling systems are the National Fire Protection Association (NFPA) 704m Standard and the Hazardous Materials Information Systems (HMIS) Standard.
 - Every effort will be made to label pipes that carry materials that could be hazardous. Labeling can be specific markings identifying the contents of the pipes. If hazardous chemicals run through the pipes, the potential hazards and necessary safety precautions relative to the chemicals must be obtained and given to the employees in the area.
 - Any empty container being considered for re-use must be fully cleaned and all labels removed prior to its use.
- The City of Bastrop will rely on the chemical manufacturers or distributors to provide labels which meet the above requirements for primary containers of all hazardous chemicals purchased and will re-label containers only when the label is illegible or otherwise does not meet the above requirements.

Employee Training Program

- The City of Bastrop will provide an education and training program to all employees who use or handle hazardous chemicals in their workplace.

- Each Department Director will be responsible for the employee training program within their department.
 - Appropriate training is provided to all covered employees and includes:
 - The use of information provided on SDSs and chemical container labels.
 - The location of hazardous chemicals present in the employees' work areas.
 - The physical and health effects of exposure.
 - Proper use of personal protective equipment.
 - Safe handling of hazardous chemicals.
 - First aid treatment for exposure to hazardous chemicals.
 - Safety instructions on clean up and disposal of hazardous chemicals.
 - Required training records are maintained and include:
 - The date of the training session.
 - A legible list of all employees attending the training session.
 - The subjects covered.
 - The name of the instructors.
 - All covered employees are identified and incorporated into the training program.
 - Employees are provided information concerning the hazardous chemicals to which they may be exposed during the performance of non-routine tasks.
 - New employees are trained prior to their being required to use or handle a hazardous chemical.
 - The need and frequency for periodic/refresher training is assessed. Employees subject to these training requirements will sign an attendance roster for each training session attended, verifying that they received and understood the information.

Reporting Employee Deaths and Injuries

- The City of Bastrop will notify the (TDSHS) Texas Department of State Health Services, Hazard Communication Branch, of any employee accident that involves a hazardous chemical exposure or asphyxiation, and that is fatal to one or more employees or results in the hospitalization of five or more employees.
- The Department Director will be responsible for reporting all such accidents to the TDSHS, Hazard Communication Branch, within 48 hours after their occurrence. Notifications will be made either orally or in writing.
- Employees will be responsible for reporting all accidents involving a hazardous chemical to their supervisor.
- Supervisors will be responsible for reporting all accidents involving a hazardous chemical to the City Manager.

Posting Employee Notice

- The City of Bastrop will post and maintain in all workplaces where hazardous chemicals are used or stored the most current version of the TDSHS Notice to Employees, informing employees of their rights under the (THCA) Texas Hazard Communication Act.
- The Notice shall be clearly posted and unobstructed at all locations in the workplace where notices are normally posted, and with at least one location in each workplace.
- Where necessary, a copy of the Notice, printed in Spanish, will be posted together with the English version of the Notice.
- Additional copies of the Notice, both in English and Spanish, are available from the Hazard Communication Branch of the TDSHS.

Personal Protective Equipment

- The City of Bastrop will provide appropriate personal protective equipment (PPE) to all employees who use or handle hazardous chemicals.
- The Department Director will assume overall responsibility for the PPE program and will ensure that appropriate equipment and training are provided, to include:
 - Proper selection of PPE based on:
 - Routes of entry.
 - Permeability of PPE material.
 - Duties being performed by the employee.
 - Hazardous chemicals present.
 - Proper fit and functionality of PPE as described by the manufacturer's specifications.
 - Appropriate maintenance and storage of PPE.

Maintaining Employee Rights

- The City of Bastrop shall not discipline, harass, or discriminate against any employee for filing complaints, assisting inspectors of the Texas Department of State Health Services, participating in proceedings related to the Texas Hazard Communication Act, or exercising any rights under the Act.
- Employees cannot waive their rights under the Texas Hazard Communication Act. A request or requirement for such a waiver by an employer violates the Act.

Informing Contractors

- Before a contractor commences work in a City of Bastrop workplace, the Department Director who controls the work area will be responsible for:
 - Informing the contractor of its rights under the Act.

- Providing a copy of the Workplace Chemical List.
- Providing copies of all SDSs for the hazardous chemicals that they may be exposed to in the workplace.
- Having the contractor provide SDSs for any hazardous chemicals they will be bringing into the City of Bastrop workplace to which the City of Bastrop employees will have an exposure.

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CONFINED SPACE ENTRY PROGRAM

Objective

The purpose of City of Bastrop Confined Space Entry Program is to set procedures that will ensure workers' safe entry into confined space and to perform routine tasks associated with their employment. The confined space program is provided to protect authorized employees that will enter confined space and may be exposed to hazardous atmospheres, engulfed by materials, asphyxiation due to converging or sloping walls, or any other safety or health hazards. (See Confined Space in Section III). When possible a training class will be given on Confined Space Entry for all applicable employees.

Background

A confined space is defined as any location that is large enough that an employee can bodily enter and perform work, has limited openings for entry and egress, and is not intended for continuous employee occupancy. A permit-required confined space contains or has the potential to contain any hazard capable of causing death or serious physical harm. Examples of confined spaces include: manholes, lift stations, pipes, storage tanks, trailers, tank cars, pits, sumps, hoppers, and bins. Entry into confined space without proper precautions could result in injury, impairment, or death due to:

- an atmosphere that is flammable or explosive;
- lack of sufficient oxygen to support life;
- contact with or inhalation of toxic materials; or
- general safety or work area hazards such as steam or high pressure materials.

Assignment of Responsibility

- **Employer**

In administering this Confined Space Program, the City of Bastrop will:

- Monitor the effectiveness of the program.
- Provide atmospheric testing and equipment as needed.
- Provide personal protective equipment as needed.
- Provide training to affected employees and supervisors.
- Provide technical assistance as needed.
- Review and update the program on at least an annual basis or as needed.

- **Program Manager**

Each Department Director is responsible for managing the Confined Space program where applicable, and shall:

- Ensure training of personnel is conducted and documented.
- Coordinate with outside responders.
- Ensure that equipment is in compliance with industry standards.
- Ensure that the supervisors in charge of confined space work will:
 - Ensure requirements for entry have been completed before entry is authorized.

- Ensure confined space monitoring is performed by personnel qualified and trained in confined space entry procedures.
- Know the hazards that may be faced during entry, including the mode (how the contaminant gets into the body), signs or symptoms, and consequences of exposure.
- Fill out the entry form.
- Determine the entry requirements.
- Require a form review and signature from the authorized Entry Supervisor.
- Notify all involved employees of the entry form requirements.
- Make the entry form available at the time of entry to all authorized entrants.
- Renew the entry form (a new entry form is required every shift).
- Determine the number of Attendants required to perform the work.
- Ensure all Attendant(s) know how to communicate with the entrants and how to obtain assistance.
- Post any required barriers and signs.
- Remain alert to changing conditions that might affect the conditions of the entry form (i.e., require additional atmospheric monitoring or changes in personal protective equipment).
- Change and reissue the form or issue a new entry form as necessary.
- Ensure periodic atmospheric monitoring is done according to entry form requirements.
- Ensure that personnel doing the work and all support personnel adhere to the entry form requirements.
- Ensure the entry form is cancelled when the work is done.
- Ensure the confined space is safely closed and all workers are cleared from the area.

- **Entry Supervisors**

Entry Supervisor(s) shall be qualified and authorized to approve the confined space entry form. The Entry Supervisor(s) shall be responsible for:

- Determining if conditions are acceptable for entry.
- Authorizing entry and overseeing entry operations.
- Terminating entry procedures as required
- Serving as an Attendant, as long as the person is trained and equipped appropriately for that role
- Ensuring that measures are in place to keep unauthorized personnel clear of the area
- Verifying that rescue services are available and that the means of summoning them are operable.

- **Attendants**

Attendant(s) shall be stationed outside of the confined workspace. The Attendant(s) shall:

- Be knowledgeable of, and be able to recognize, potential confined space hazards.
- Maintain an accurate count of all persons in the confined space and ensure that entrants sign in and out.

- Monitor surrounding activities to ensure the safety of personnel.
- Maintain effective and continuous communication with personnel during confined space entry, work, and exit.
- Order personnel to evacuate the confined space if he/she:
 - Observes a condition which is not allowed on the entry form;
 - Notices the entrants acting strangely, possibly as a result of exposure to hazardous substances;
 - Notices a situation outside the confined space which could endanger personnel;
 - Notices a hazard within the confined space that has not been previously recognized or taken into consideration;
 - Must leave his/her workstation; or
 - Must focus attention on the rescue of personnel in some other confined space that he/she is monitoring.
- Immediately summon rescue services if necessary.
- Keep unauthorized persons out of the confined space, order them out, or notify authorized personnel of an unauthorized entry.
- Do not perform duties that might interfere with the attendant's primary duty to monitor and protect the entrants.
- **Entrants/Affected Employees**
Employees who are granted permission to enter a confined space shall:
 - Read and observe the entry permit requirements.
 - Remain alert to the hazards that could be encountered while in the confined space.
 - Properly use the personal protective equipment that is required by the permit.
 - Immediately exit the confined space when:
 - They are ordered to do so by an authorized person;
 - They notice or recognize signs or symptoms of exposure.
 - A prohibited condition exists; or
 - The automatic alarm system sounds.
 - Alert Attendant(s) when a prohibited condition exists and/or when warning signs or symptoms of exposure exist.

Training

City of Bastrop shall provide training so that all employees whose work is regulated by this Confined Space Program acquire the understanding, knowledge, and skills necessary for the safe performance of their duties in confined spaces.

- **Training Frequency**
Supervisors shall provide training to each affected employee:
 - Before the employee is first assigned duties within a confined space;

- Before there is a change in assigned duties;
- When there is a change in permit space operations that presents a hazard for which an employee has not been trained; and
- When the City of Bastrop has reason to believe that there are deviations from the confined space entry procedures required in this program, or that there are inadequacies in the employee's knowledge or use of these procedures.

The training shall establish employee proficiency in the duties required in this program, and shall introduce new or revised procedures, as necessary, for compliance with this program.

- **General Training**

All employees who will enter confined spaces shall be trained in entry procedures. Personnel responsible for supervising, planning, entering, or participating in confined space entry and rescue shall be adequately trained in their functional duties prior to any confined space entry. Training shall include:

- Explanation of the general hazards associated with confined spaces.
- Discussion of specific confined space hazards associated with the facility, location, or operation.
- Reason for, proper use, and limitations of personal protective equipment and other safety equipment required for entry into confined spaces.
- Explanation of permits and other procedural requirements for conducting a confined space entry.
- A clear understanding of what conditions would prohibit entry.
- Procedures for responding to emergencies.
- Duties and responsibilities of the confined space entry team.
- Description of how to recognize symptoms of overexposure to probable air contaminants in themselves and co-workers, and method(s) for alerting the Attendant(s).

Refresher training shall be conducted as needed to maintain employee competence in entry procedures and precautions.

- **Specific Training**

- Training for atmospheric monitoring personnel shall include proper use of monitoring instruments, including instruction on the following:
 - Proper use of the equipment;
 - Calibration of the equipment;
 - Sampling strategies and techniques; and
 - Exposure limits (PELs (Permissible Exposure Limits), TLVs (Threshold Limit Value), LELs (Lower Explosive Limit), UELs (Upper Exposure Limit), etc.).
- Training for Attendants shall include the following:
 - Procedures for summoning rescue or other emergency services; and
 - Proper utilization of equipment used for communicating with entry and emergency/rescue personnel.

Identification of Hazards and Evaluation of Confined Spaces

- **Pre-Entry Hazard Assessment**

A hazard assessment shall be completed by the Supervisor prior to any entry into a confined space. The hazard assessment should identify:

- The sequence of work to be performed in the confined space;
- The specific hazards known or anticipated; and
- The control measures to be implemented to eliminate or reduce each of the hazards to an acceptable level.

No entry shall be permitted until the hazard assessment has been reviewed and discussed by all persons engaged in the activity. Personnel who are to enter confined spaces shall be informed of known or potential hazards associated with said confined spaces.

- **Hazard Controls**

Hazard controls shall be instituted to address changes in the work processes and/or working environment. Hazard controls must be able to either control the health hazards by eliminating the responsible agents, reduce health hazards below harmful levels, or prevent the contaminants from coming into contact with the workers.

The following order of precedence shall be followed in reducing confined space risks:

- **Engineering Controls**

Engineering controls are those controls that eliminate or reduce the hazard through implementation of sound engineering practices.

Ventilation is one of the most common engineering controls used in confined spaces. When ventilation is used to remove atmospheric contaminants from a confined space, the space shall be ventilated until the atmosphere is within the acceptable ranges. Ventilation shall be maintained during the occupancy if there is a potential for the atmospheric conditions to move out of the acceptable range. When ventilation is not possible or feasible, alternate protective measures or methods to remove air contaminants and protect occupants shall be determined by the Entry Supervisor prior to authorizing entry.

When conditions necessitate and can accommodate continuous forced air ventilation, the following precautions shall be followed:

- Employees shall not enter the space until the forced air ventilation has eliminated any hazardous atmosphere.
- Forced air ventilation shall be directed so as to ventilate the immediate areas where an employee is or will be present within the space.
- Continuous ventilation shall be maintained until all employees have left the space.

- Air supply or forced air ventilation shall originate from a clean source.
- Work Practice (Administrative) Controls
Work practice (administrative) controls are those controls that eliminate or reduce the hazard through changes in the work practices (i.e., rotating workers, reducing the amount of worker exposure, and housekeeping).
- Personal Protective Equipment (PPE)
If the hazard cannot be eliminated or reduced to a safe level through engineering and/or work practice controls, PPE should be used. The Entry Supervisor shall determine the appropriate PPE needed by all personnel entering the confined space, including rescue teams. PPE that meets the specifications of applicable standards shall be selected in accordance with the requirements of the job to be performed.

Entry Forms

The Confined Space Entry Form is the most essential tool for assuring safety during entry in confined spaces with known hazards, or with unknown or potentially hazardous atmospheres. The entry form process guides the supervisor and workers through a systematic evaluation of the space to be entered. The form should be used to establish appropriate conditions. Before each entry into a confined space, an entry form will be completed by the Supervisor who will then communicate the contents of the form to all employees involved in the operation and post the form conspicuously near the work location. A standard entry form shall be used for all entries.

- **Key Elements of Entry Forms**

A standard entry form shall contain the following items:

- Space to be entered.
- Purpose of entry.
- Date and authorized duration of the entry form.
- Name of authorized entrants within the entry form space.
- Means of identifying authorized entrants inside the entry form space (i.e., rosters or tracking systems).
- Name(s) of personnel serving as Attendant(s) for the entry form duration.
- Name of individual serving as Entry Supervisor, with a space for the signature or initials.
- Hazards of the entry form space to be entered.
- Measures used to isolate the space and to eliminate or control the space hazards before entry (i.e., lockout/tag-out of equipment and procedures for purging, ventilating, and flushing permit spaces).
- Acceptable entry conditions.
- Results of initial and periodic tests performed, accompanied by the names or initials of the testers and the date(s) when the tests were performed.
- Rescue and emergency services that can be summoned, and the means of contacting those services (i.e., equipment to use, phone numbers to call).
- Communication procedures used by authorized entrants and Attendants(s) to maintain contact during the entry.

- Equipment to be provided for compliance with this Confined Space Program (i.e., PPE, testing, communications, alarm systems, and rescue).
- Other information necessary for the circumstances of the particular confined space that will help ensure employee safety.
- Additional forms, such as for hot work, that has been issued to authorize work on the entry form space.

- **Entry Form Scope and Duration**

An entry form is only valid for one shift. For an entry form to be renewed, the following conditions shall be met before each reentry into the confined space:

- Atmospheric testing shall be conducted, and the results should be within acceptable limits. If atmospheric test results are not within acceptable limits, precautions to protect entrants against the hazards should be addressed on the entry form and should be in place.
- The Entry Supervisor shall verify that all precautions and other measures called for on the entry form are still in effect.
- Only operations or work originally approved on the entry form shall be conducted in the confined space.

A new entry form shall be issued whenever changing work conditions or work activities introduce new hazards into the confined space. Any problems encountered during an entry operation shall be noted on the respective entry form(s) so that appropriate revisions to the confined space entry form program can be made.

Entry Procedures

When entry into a confined space is necessary, either the Entry Supervisor or Department Director may initiate entry procedures, including the completion of a confined space entry form. Entry into a confined space shall follow the standard entry procedure below.

- **Prior to Entry**

The entire confined space entry permit shall be completed before a standard entry. Entry shall be allowed only when all requirements of the entry form are met and it is reviewed and signed by an Entry Supervisor. The following conditions must be met prior to standard entry

- Affected personnel shall be trained to establish proficiency in the duties that will be performed within the confined space.
- The internal atmosphere within the confined space shall be tested with a calibrated, direct-reading instrument.
- Personnel shall be provided with necessary PPE as determined by the Entry Supervisor.
- Atmospheric monitoring shall take place during the entry. If a hazardous atmosphere is detected during entry:
 - Personnel within the confined space shall be evacuated by the Attendant(s) or Entry Supervisor until the space can be evaluated to determine how the hazardous atmosphere developed; and

- Controls shall be put in place to protect employees before reentry.
- **Opening a Confined Space**

Any conditions making it unsafe to remove an entrance cover shall be eliminated before the cover is removed. When entrance covers are removed, the opening shall be promptly guarded by a railing, temporary cover or other temporary barrier that will prevent anyone from falling through the opening. This barrier or cover shall protect each employee working in the space from foreign objects entering the space. If it is in a traffic area, adequate barriers shall be erected.
- **Atmospheric Testing**

Atmospheric test data is required prior to entry into a confined space. Atmospheric testing is required for two distinct purposes: (1) evaluation of the hazards of the entry from space, and (2) verification that acceptable conditions exist for entry into that space. If a person must go into the space to obtain the needed data, then Standard Confined Space Entry Procedures shall be followed. Before entry into a confined space, the atmosphere shall be tested for hazardous atmospheres. The internal atmosphere shall be tested with a calibrated, direct-reading instrument for oxygen, flammable gases and vapors, and potential toxic air contaminants, in that order.

All testing equipment shall be approved by a nationally recognized laboratory, such as GASES 101.

- Verification Testing

A confined space that may contain a hazardous atmosphere shall be tested for residues of all identified or suspected contaminants. The evaluation testing should be conducted with specified equipment to determine that residual concentrations at the time of testing and entry are within acceptable limits. Results of testing shall be recorded by the person performing the tests on the permit. The atmosphere shall be periodically retested (frequency to be determined by Entry Supervisor to verify that atmospheric conditions remain within acceptable entry parameters.
- Acceptable Limits

The atmosphere of the confined spaces shall be considered to be within acceptable limits when the following conditions are maintained:

 - Oxygen: 19.5 percent to 23.5 percent;
 - Flammability: less than 10 percent of the Lower Flammable Limit (LFL); and
 - Toxicity: less than recognized American Conference of Governmental Industrial Hygienists (ACGIH) exposure limits or other published exposure levels [i.e., OSHA Permissible Exposure Limits (PELs) or National Institute of Occupational Safety and Health (NIOSH) Recommended Exposure Limits (RELs)].

- **Isolation and Lockout/Tag-out Safeguards**

All energy sources that are potentially hazardous to confined space entrants shall be secured, relieved, disconnected, and/or restrained before personnel are permitted to enter the confined space. Equipment systems or processes shall be locked out and/or tagged out as required by the City of Bastrop Lockout/Tag-out Program. Lockout/Tag-out of Energy Sources is required prior to permitting entry into the confined space. In confined spaces where complete isolation is not possible, the supervisor shall evaluate the situation and make provisions accordingly.

When there is a need to test, position, or activate equipment by temporarily removing the lock or tag or both, a procedure shall be developed and implemented to control hazards to the occupants. Any removal of locks, tags, or other protective measures shall be done in accordance with the City of Bastrop Lockout/Tag-out Program.

- **Ingress/Egress Safeguards**

Means for safe entry and exit shall be provided for confined spaces. Each entry and exit points shall be evaluated by the Entry Supervisor to determine the most effective methods and equipment that will enable employees to safely enter and exit the confined space.

Appropriate retrieval equipment or methods shall be used whenever a person enters a confined space. Use of retrieval equipment may be waived by the Entry Supervisor if use of the equipment increases the overall risks of entry or does not contribute to the rescue. A mechanical device shall be available to retrieve personnel from vertical confined spaces greater than five (5) feet in depth.

- **Warning Signs and Symbols**

If the workplace contains permit spaces, the employer shall inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces.

Emergency Response Plan

The City of Bastrop shall maintain a written plan of action that has provisions for conducting a timely rescue of individuals within a confined space, should an emergency arise. The written plan shall be kept onsite where the confined space work is being conducted. All affected personnel shall be trained on the Emergency Response Plan.

Contractor Awareness, Duties, and Responsibilities

When a Department arranges for a contractor to perform work that involves an entry form into a confined space entry, the Department shall:

- Inform the contractor in writing that the workplace contains entry form space and that entry is allowed only through compliance with an entry form required confined space entry program.

- Apprise the contractor of the hazards identified and the entity's experience with the confined space and any precautions the entity has implemented for the protection of entity employees.
- Coordinate entry operations with the contractor when both city personnel and contractor personnel will be working in or near the entry form spaces.

Non-Entry Form Confined Space Entry General Rules

A non-entry form confined space shall be defined as a confined space that does not contain or have the potential to contain any hazard capable of causing death or serious physical harm. Prior to entering a non-entry form confined space, the employee must practice the following safety rules:

- Check the ventilation system to ensure it is working properly.
- Continuously monitor the atmospheric conditions in the confined space with a portable gas monitor.
- Conduct a thorough observation of the confined space prior to entry to ensure that no unusual circumstances are present. Unusual circumstances include:
 - The presence, sight, or smell, of raw sewage.
 - Unpleasant odors from paint, chemicals, fuels, smoke, etc.
 - Damages or unsafe components such as steps, lids, fall protection devices, and other safety related items.
- Wear all required fall protection and safety related equipment in the confined space.
- Quickly evacuate the confined space if the conditions become unsafe for any reason.

EXCAVATION & TRENCHING SAFETY PROGRAM

Objective

This Excavation Safety Program has been developed to protect employees from safety hazards that may be encountered during work in trenches and excavations. This program is intended to assure that: (See Excavation & Trenching in Section II)

- Employees who perform work in excavations are aware of their responsibilities and know how to perform work safely.
- Department Director has appointed one or more individuals to assure compliance with the requirements of this program.
- The responsibilities of supervisors and employees are clearly detailed.
- All persons involved in excavation and trenching work have received appropriate training in the safe work practices that must be followed when performing this type of work.

Assignment of Responsibility

- **Employer**

In administering the excavation safety program, City of Bastrop will:

- Monitor the overall effectiveness of the program.
- Provide atmospheric testing and equipment selection as needed.
- Provide personal protective equipment as needed.
- Provide protective systems as needed.
- Provide training to affected employees and supervisors.
- Provide technical assistance as needed.
- Preview and update the program on at least an annual basis, or as needed.

- **Program Manager**

Each Department Director acts as the competent person for the City of Bastrop in reference to this program, and must assure that:

- The procedures described in this program are followed.
- Employees entering excavations or trenches are properly trained and equipped to perform their duties safely.
- All required inspections, tests, and recordkeeping functions have been performed.

- **Employees**

All employees who work in or around excavations must comply with the requirements of this program. Employees are responsible for reporting hazardous practices or situations to the City of Bastrop management, as well as reporting incidents that cause injury to themselves or other employees.

- **Contractors**

Construction projects involving trenching conducted within a municipality or for a political subdivision must comply with the Health & Safety Code, Chapter 756,

Subchapter C, Trench Safety, Sections 756.021, 756.022 and 756.023. Contractors are responsible for inspections and assuring the safety of their personnel.

Training

- **Training Schedule**

- All personnel involved in trenching or excavation work shall be trained in the requirements of this program with assistance from the appropriate supervisors.
- Training shall be performed before employees are assigned duties in excavations.
- Retraining will be performed when work site inspections indicate that an employee does not have the necessary knowledge or skills to safely work in or around excavations, or when changes to this program are made.
- Training records will be maintained by the Department Director and shall include:
 - Date of the training program;
 - Name(s) of the instructor(s) who conducted the training;
 - A copy of the written material presented; and,
 - Name(s) of the employee(s) who received the training.

- **Training Components**

The training provided to all personnel who perform work in excavations shall include:

- The work practices that must be followed during excavating or working in excavations.
- The use of personal protective equipment that will typically be required during work in excavations, including but not limited to safety shoes, hardhats, and fall protection devices.
- Procedures to be followed if a hazardous atmosphere exists or could reasonably be expected to develop during work in an excavation.
- Emergency and non-entry rescue methods, and the procedure for calling rescue services.
- City of Bastrop policy on reporting incidents that cause injury to employees.

Excavation Requirements

- **Utilities and Pre-Work Site Inspection**

Prior to excavation, the site shall be thoroughly inspected by the Supervisor to determine if special safety measures must be taken.

- **Surface Encumbrances**

All equipment, materials, supplies, permanent installations (buildings or roadways), trees, brush, boulders, and other objects at the surface that could present a hazard

to employees working in the excavation shall be removed or supported as necessary to protect employees.

- **Underground Installations**

- The location of sewer, telephone, fuel, electric, water, or any other underground installations or wires that could be encountered during excavation work shall be determined and marked prior to opening an excavation in accordance with One Call and Railroad Commission of Texas requirements. Arrangements shall be made as necessary with the appropriate utility entity for the protection, removal, shutdown, or relocation of underground installations.
- If it is not possible to establish the exact location of these installations, the work may proceed with caution if detection equipment or other safe and acceptable means are used to locate the utility.
- Excavation shall be done in a manner that does not endanger the underground installations or the employees engaged in the work. Utilities left in place shall be protected by barricades, shoring, suspension, or other means as necessary to protect employees.

- **Protection of the Public**

Barricades, walkways, lighting, and posting shall be provided as necessary for the protection of the public prior to the start of excavation operations.

- Guardrails, fences, or barricades shall be provided on excavations adjacent to walkways, driveways, and other pedestrian or vehicle thoroughfares. Warning lights or other illumination shall be maintained as necessary for the safety of the public and employees during low visibility times.
- Wells, holes, pits, shafts, and all similar hazardous excavations shall be effectively barricaded or covered and posted as necessary to prevent unauthorized access. All temporary excavations of this type shall be backfilled as soon as possible.
- Walkways or bridges protected by standard guardrails shall be provided where employees and the general public are permitted to cross over excavations. Where workers in the excavation may pass under these walkways or bridges, a standard guardrail and toe board shall be used to prevent the hazard of falling objects.

- **Protection of Employees**

Stairs, ladders, or ramps shall be provided at excavation sites where employees are required to enter trench excavations over four (4) feet deep. The maximum distance of lateral travel (along the length of the trench) necessary to reach the means of egress shall not exceed 25 feet.

- Ladders

- When portable ladders are used, the ladder side rails shall extend a minimum of three (3) feet above the upper surface or the excavation.
 - Ladders shall have nonconductive side rails if work will be performed near exposed energized equipment or systems.
 - Ladders will be inspected prior to use for signs of damage or defects. Damaged ladders will be removed from service and marked with “Do Not Use” until repaired.
 - Ladders shall be used only on stable and level surfaces unless secured. Ladders placed in any location where they can be displaced by workplace activities or traffic shall be secured, or barricades shall be used to keep these activities away from the ladders.
 - Non self-supporting ladders shall be positioned so that the foot of the ladder is one-quarter of the working length away from the support.
 - Employees are not permitted to carry any object or load while on a ladder that could cause them to lose their balance and fall.
- **Exposure to Vehicular Traffic**

Employees exposed to vehicular traffic shall be provided with, and shall wear, warning vests or other suitable garments marked with or made of reflectorized or high-visibility material. Warning vests shall be worn by flaggers and shall be reflectorized material if worn during night work. Emergency lighting, such as spotlights or portable lights, shall be provided as needed to perform work safely.
 - **Exposure to Falling Loads**

No employee is permitted underneath loads being handled by lifting or digging equipment. Employees are required to stand away from any vehicle being loaded or unloaded to avoid being struck by any spillage or falling materials. Operators may remain in the cabs of vehicles being loaded or unloaded when the vehicles provide adequate protection for the operator during loading and unloading operations.
 - **Warning System for Mobile Equipment**

A warning system shall be used when mobile equipment is operated adjacent to the edge of an excavation if the operator does not have a clear and direct view of the edge of the excavation. The warning system shall consist of barricades, hand or mechanical signals, or stop logs. If possible, the grade should be away from the excavation.
 - **Personal Protective Equipment**
 - All employees working trenches or excavations shall wear approved hardhats where shoring is required as well as safety shoes or boots.

- Employees exposed to flying fragments, dust or other materials produced by drilling, sawing, sanding, grinding, and similar operations shall wear approved safety glasses with side shields.
- Employees performing welding, cutting, or brazing operations, or are exposed to the hazards produced by these tasks, shall wear approved spectacles or a welding face shield or helmet.
- Employees entering bell-bottom pier holes or other similar deep and confined footing excavations shall wear a harness with a lifeline securely attached to it. The lifeline shall be separate from any line used to handle materials and shall be individually attended at all times while the employee wearing the lifeline is in the excavation.
- Employees shall wear approved gloves or other suitable hand protection gear.
- Employees using or working in the immediate vicinity of hammer drills, masonry saws, jackhammers, or similar high-noise producing equipment shall wear suitable hearing protection.
- Emergency rescue equipment, such as breathing apparatus, a safety harness and line, and a basket stretcher, shall be readily available where hazardous atmospheric conditions exist or may develop during work in an excavation. This equipment shall be attended when in use. Only personnel who have received approved training and have appropriate equipment shall attempt retrieval that would require entry into a hazardous atmosphere. If entry into a known hazardous atmosphere must be performed, then the Supervisor shall be given advance notice so that the hazards can be evaluated and rescue personnel placed on standby if necessary.
- **Protection from Water Accumulation Hazards**
 - The level of accumulating water, or use of safety harnesses and lifelines, should be used.
 - The Supervisor shall inform affected workers of the precautions or procedures that are to be followed if water accumulates or is accumulating in an excavation.
- **Materials and Equipment**
 - Materials and equipment used for protective systems shall be free from damage or defects that might affect their proper function.
 - Manufactured materials and equipment used for protective systems shall be used and maintained in accordance with the recommendations of the manufacturer, and in a manner that will prevent employee exposure to hazards.
 - When materials or equipment used for protective systems are damaged, the Supervisor shall ensure that these systems are examined by a competent person to evaluate suitability for continued use. If the competent person cannot assure

that the material or equipment is able to support the intended loads or is otherwise suitable for safe use, then such material or equipment shall be removed from service. The material or equipment shall then be evaluated and approved by a registered professional engineer before being returned to service.

- **Installation and Removal of Supports**

- General

- Members of support systems shall be securely connected together to prevent sliding, falling, kick-outs, or other potential hazards.
 - Support systems shall be installed and removed in a manner that protects employees from cave-ins, structural collapse, or from being struck by members of the support systems.
 - Individual members of the support systems shall not be subjected to loads exceeding those that they were designed to support.
 - Before temporary removal of individual support members begins, additional precautions shall be taken to ensure the safety of employees (i.e., the installation of other structural members to carry the loads imposed on the support system).
 - Removal of support systems shall begin at, and progress from, the bottom of the excavation. Members shall be released slowly. If there is any indication of possible failure of the remaining members of the structure or possible cave-in of the sides of the excavation, the work shall be halted until it can be examined by the Supervisor.
 - Backfilling shall progress in conjunction with the removal of support systems from excavations.

- Additional Requirements

- Excavation of material to a level no greater than two (2) feet below the bottom of the members of the support system is allowed, but only if the system is designed to resist the forces calculated for the full depth of the trench. There shall be no indications of a possible loss of soil from behind or below the bottom of the support system while the trench is open.

- **Sloping and Benching Systems**

Employees are not permitted to work above other employees in the faces of sloped or benched systems, except when employees at lower levels are protected from the hazards of falling, rolling, or sliding material or equipment.

- **Shield Systems**

- General

- Shield systems shall not be subjected to loads that are greater than those they are designed to withstand.
 - Shields shall be installed in a manner that will restrict lateral or other hazardous movement of the shield and could occur during cave-in or unexpected soil movement.
 - Employees shall be protected from the hazard of cave-ins when entering or exiting the areas protected by shields.
 - Employees are not permitted in trenches when shields are being installed, removed, or moved vertically.

- Additional Requirements

- Excavation of material to a level no greater than two (2) feet below the bottom of the shield system is allowed, but only if the system is designed to resist the forces calculated for the full depth of the trench.
 - There shall be no indications of a possible loss of soil from behind or below the bottom of the shield system while the trench is open.

SECTION 3 - GENERAL SAFETY RULES & DEPARTMENT/OPERATION - SPECIFIC SAFETY RULES

DRAFT

GENERAL SAFETY RULES

- Each employee shall be required to comprehend and abide by the contents of this safety program.
- All accidents, regardless of severity, shall be immediately reported to your supervisor.
- All hazardous conditions, actions, and/or practices shall be reported to your supervisor.
- Work areas, including the inside and outside of vehicles and buildings, shall be kept clean and orderly at all times.
- Employees shall only operate equipment/tools that they are trained and authorized to operate.
- Smoking shall be prohibited in areas where there is a danger to equipment, materials, co-workers or buildings, or where 'No Smoking' signs are posted.
- Employees shall use all safety devices and personal protective equipment provided for their protection.
- Employees shall wear clothing and shoes suitable for the particular work they are doing.
- Employees shall use assisted lifting devices or obtain assistance from a coworker when lifting heavy objects when possible.
- Guards shall never be removed except when authorized to make repairs or adjustments. Replace guard immediately upon completion of work.
- Before starting work on any machine or equipment that is out of service, employees shall render the equipment or machine inoperative and attach a lockout device to the equipment control.
- The use of drugs and alcohol during working hours is prohibited (refer to the City of Bastrop Employee Handbook for a detailed policy). Any employee reporting to work under the influence of alcohol or controlled substances shall be subject to disciplinary action up to and including termination.
- Any employee taking prescription drugs or over-the-counter drugs that could impair assigned work shall report this fact to the supervisor as soon as possible.
- Employees shall not engage in practical jokes or horseplay.

WORKING ALONE

While it is not necessarily hazardous to work alone, work exposures combined with the fact that the employee is alone require preparation by the entity, supervisor, and employee. Whether a situation is high or low risk will depend upon the type of work, location, interaction with the public, or consequences of an accident, injury or emergency.

High risk activities include working from heights, confined spaces, electrically charged devices, hazardous materials or chemicals, power equipment, high-pressure devices, and potentially violent people. Such exposures may require additional employees or significant preparation so that the employees are knowledgeable about hazards and a determination by supervisors that lone workers have demonstrated the capability to work safely and independently.

To help ensure the safety of a person working alone, consider the following actions:

- Assess potential workplace hazards.
- Talk with employees about the assigned tasks, discussing exposures and solutions.
- Avoid having to work alone during high risk jobs.
- Take corrective action to prevent or minimize the risks of working alone.
- Provide appropriate safety training and education.
- Establish a check-in procedure for staff.
- Schedule high risk tasks during normal business hours or when another worker capable of helping is present.
- Report all unsafe situations, incidents, and near misses, particularly if working alone would have increased or did increase the severity of the situation.

CHEMICAL HANDLING & STORAGE

General Handling and Storage Guidelines

The risks associated with handling and storage of chemicals can be considerably reduced by following the actions listed below.

- A comprehensive chemical list should be maintained at each worksite or facility and include all chemicals or products at that site.
- A material safety data sheet (SDS) should be maintained for each chemical or product on-hand at a particular worksite. See *Hazard Communication Policy* for additional details.
- Chemical storage should be minimized to only those chemicals which will be actively used.
- Employees should not use chemicals that they are unfamiliar with or have not been trained to use.
- Chemicals should be stored in proper containers designed for such use.
- Chemicals should be stored such that they will not react with other chemicals, substances, or materials.
- All chemical containers should be labeled as to the contents, reactivity, flammability, special hazards, and any other health hazard using the appropriate chemical label.

Chemical Safety Guidelines

- **Acids**
 - Store large bottles of acids on lower shelves or on trays in acid cabinets or a cabinet marked "Corrosive".
 - Segregate oxidizing acids from organic acids, flammables, and combustible materials.
 - Segregate acids from bases, active metals (sodium, potassium, magnesium) and other incompatible materials.
 - Use bottle carriers or a cart to transport acid bottles.
 - Have spill control materials or acid neutralizers available in the event of a spill. Do not use bases to neutralize an acid spill.
- **Bases**
 - Store large bottles of liquid bases on trays in cabinets marked as "Bases" or "Corrosives".
 - Segregate bases from acids and other incompatible materials.
 - Store solutions of inorganic hydroxides in polyethylene containers.
 - Have spill control materials or caustic neutralizers for caustic spills. Do not use acids to neutralize base (caustic) spills

- **Flammables**
 - Only store flammable liquids in specially designed 'flammable-safe' cabinets.
 - Keep flammables away from sources of heat or ignition.
 - Keep fire extinguishing and spill control equipment readily available.

- **Oxidizers**
 - Store oxidizers in a cool, dry location and away from flammable or combustible materials, such as paper or wood products.
 - Store oxidizers away from petroleum-based products.

- **Compressed Gases**
 - Compressed gas cylinders should be stored in an upright position and secured to prevent accidental tipping or falling.
 - Cylinders should be stored with the protective cap in place.
 - All cylinders should be labeled as "Full", "In-Use", or "Empty".
 - Cylinder should not be carried or rolled but should be transported using a cylinder cart.
 - For additional details on compressed gases, see the *Compressed Gas Safety* and *Compressed Gas Chlorine Safety* and *Compressed Gas Cylinder Safety* section in this manual.

COMPRESSED GAS CHLORINE SAFETY

The following procedures are designed to explain proper safety precautions and rules regarding the safe handling of compressed gas chlorine.

Changing Chlorine Cylinders (Non-Emergency)

This procedure should be followed for any and all compressed gas cylinders (150 pound and/or 1 ton). A minimum of two, properly trained, and competent personnel should perform this task.

- Look at monitoring system on the outside of the facility for oxygen levels inside of the space.
- Turn on the light, if equipped, and visually ensure that the room is safe to enter as there may be visual signs of danger or damage.
- Wear appropriate personal protective equipment as needed including protective gloves, eye protection, face shield, full-faced respirator with appropriate chlorine gas cartridges, or self-contained breathing apparatus (SCBA). An escape respirator should not be used for this function.
- Turn on the exhaust ventilation fan prior to entering the area.
- Close the main chlorine container valve.
- Allow the system to purge itself of chlorine gas. Ensure the float drops to the bottom of the feed-rate indicator (rotameter). Verify the vacuum and that the scales, if equipped, read 'zero', indicating an empty cylinder.
- Loosen the chlorinator (auxiliary valve or vacuum regulator) and remove it from the empty cylinder.
- Replace the protective cylinder cap on the empty cylinder and remove the cylinder to the appropriate storage area. Be sure the cylinder is secured and properly labeled as 'Empty'.
- Secure the new cylinder into place, removing the protective cap after placement.
- Ensure that there is no chlorine leaking from the packaging gland. Use ammonia vapor from the ammonia test solution bottle (10% ammonia).
- Ensure the cylinder valve is closed. Do not open the valve yet.
- Loosen the cylinder outlet cap, check for leaks, and then remove. Check that the cylinder outlet face is clean and smooth.
- Using a new washer, connect the vacuum regulator or the yoke assembly (whichever is used on the particular system) to the valve outlet using only the proper wrench.

- Briefly open the chlorine cylinder valve and then quickly close it again. This will let enough chlorine into the lines to charge them. The valve should open with no more than a sharp rap from the heel of your hand. Never use a 'cheater' or 'helper' wrench or larger wrench than supplied. If the valve will not open, carefully and slightly loosen the packing gland.
- Check that all connections are secure that there are no leaks. Use the vapor from the ammonia test solution bottle (10% ammonia). If a leak is indicated, activate the proper leak control procedure.
- When no leaks are indicated, open the chlorine cylinder valve no more than one half turn and leave the cylinder wrench in place on the valve.
- Open any additional system valves and test for leaks using the vapor ammonia test solution bottle as each stage is charged with chlorine.
- Ensure that the alarm system, if equipped, is properly functioning.
- Leave the chlorine room/area turning off the light and exhaust fan. Ensure that all employees have exited the room before turning off light and fan.
- Once safely outside the chlorine room/area, remove personal protective equipment.

COMPRESSED GAS CYLINDER SAFETY

- Never attempt to lift compressed gas cylinders with an electromagnet. Where cylinders must be handled by a crane or derrick, as on work sites, the cylinders shall be lifted in a cradle or suitable platform, not by the valve protector cap. Do not lift with slings or chokers. Extreme care must be exercised to prevent dropping or bumping of the cylinders.
- Cylinders, whether full or empty, shall be stored in a rack, chained or otherwise secured to prevent them from falling.
- Do not use cylinders as rollers, supports or for any other use other than its designed purpose.
- Cylinders shall have their contents properly identified. Empty cylinders shall be plainly marked "Empty" or "MT", and the valves shall be closed.
- Oxygen cylinders in storage shall not be stored near flammable or highly combustible materials, such as oil, grease, fuel, and other fuel gas cylinders, etc. In addition, no cylinders shall be stored in areas where there is an exposure to direct sunlight.
- Welding or cutting of any pipeline, tank, empty container or piece of equipment shall not be performed until it is assured that the object is free from flammable materials or an explosive mixture of gases. Before welding or cutting begins, the hazardous materials shall be removed, or it shall be vented to the atmosphere to prevent a possible explosion from the expansion of trapped gases.
- Cylinders shall not be placed where they might become part of an electric current or within five feet of an electrical outlet. Cylinders shall not be allowed to come in contact with energized conductors, ground wires from electrical equipment or welding machines.
- Valves of compressed gas cylinders shall be opened slowly and with the proper wrench.
- Before the regulator is removed from a cylinder, the valve shall be closed and all pressure released from the regulator. Use regulators and pressure gauges only with gases for which they are designed and intended. Do not attempt to repair or alter cylinders, valves or attachments. Any changes in the cylinders shall only be performed by the supplier or manufacturer.
- Leaking cylinders shall not be used. Such cylinders shall be taken away from sources of ignition and the supervisor notified. Leaking compressed gas cylinders shall be taken out of service immediately and handled as follows:

- Close the valves and take the cylinder outdoors well away from any source of ignition.
- Properly tag or mark the cylinder.
- If the leak occurs at a fuse plug or other safety device, take the cylinder outdoors well away from any potential ignition source and open the cylinder valve slightly to allow the contents to escape slowly.
- Tag the cylinder to warn others. (The environmental and health effects of the contents must be evaluated prior to allowing the cylinder to bleed-down.)
- Post warnings against approaching with lit cigarettes or other potential ignition sources.
- Promptly notify the supplier and follow instructions for handling/returning the cylinder.
- Do not remove or change the marks and/or numbers stamped on compressed gas cylinders. In addition, any labels shall be left in place for identification purposes.
- Cylinders that are heavy or difficult to carry by hand may be rolled on their bottom edge, but they should never be dragged.
- Do not tamper with safety devices in valves or on cylinders.
- Consult the supplier of the gas or the appropriate Safety Data Sheet (SDS) when there are doubts concerning the proper handling of a compressed gas cylinder or its contents.

Transporting Cylinders

- Load to allow as little movement as possible.
- Remove regulators and put valve protection caps in place.
- Secure cylinders to prevent violent contact or falling.

MACHINE GUARDING SAFETY

Guarding Requirements

- Guards shall be affixed and secured to any machine, where possible.
- A guard shall not offer an accident hazard in itself.
- The point-of-operation of machines where the operation presents a hazard to employees shall be guarded.
- Revolving drums, barrels, and containers shall be guarded by an enclosure that is interlocked with the drive mechanism.
- When periphery fan blades, such as those found on ventilation fans, are located less than seven feet above the floor or working level, the blades shall be guarded with a protective covering with openings no larger than one-half inch.
- Machines designed for a fixed location, such as a drill press or bench grinder, shall be securely anchored to prevent walking or moving of the machine during operation.

Machine Guard Requirements

- Guards must prevent hands, arms, fingers, feet, or any other part of the employee's body from making contact with moving parts. A good safeguarding system eliminates the possibility of the operator or other employees from placing parts of their bodies near hazardous moving or energized parts.
- Employees should not be able to easily remove or tamper with guards. Guards and other safety devices should be made of durable material that will withstand the conditions of normal use and must be firmly secured to the machine.
- Guards should ensure that no objects can fall into moving parts.
- Guard edges should be rolled or bolted in such a way to eliminate sharp or jagged edges.
- Guards should not create interference which would hamper employees from performing their assigned tasks.
- Lubrication points and feeds should be placed outside the guarded area to eliminate the need for guard removal.

FALL PREVENTION

Slips, trips, and falls constitute a large percentage of accidents and injuries in public entities. These procedures are designed to prevent hazardous conditions that could result in slips, trips, or falls.

Supervisor Responsibilities

- Conduct routine inspections to ensure all walking and working surfaces are free from potential slip, trip, and fall hazards.
- Conduct safety training for employees who use ladders, scaffolds, or other elevated surfaces.
- Conduct training in the use and inspection of fall prevention and fall arrest equipment.
- Ensure proper ladders are used for specific tasks.
- Provide adequate fall prevention and fall arrest equipment.

Employee Responsibilities

- Maintain work areas free from potential slip, trip, and fall hazards.
- Correct or immediately report potential slip, trip, and fall hazards.
- Use proper ladders for assigned tasks.
- Use proper fall prevention and fall arrest equipment as prescribed by policies.

General Requirements

- **Housekeeping**
 - All work areas, passageways, storerooms, and shop areas should be kept clean and orderly at all times.
 - The floor of every work area shall be maintained in a clean and dry condition as possible. Where wet operations are held, adequate drainage should be maintained, and non-slip mats or floor covering shall be provided.
 - Every floor, work area, and passageway shall be kept free of protruding nails, splinters, holes, debris, and stored items.
- **Aisles and Passageways**
 - Aisles and passageways shall be kept clear and in good repair with no obstructions across or in aisles that could cause a hazard.
 - Where mechanical equipment is used, aisles should be of adequate width as improper aisles coupled with poor housekeeping, vehicle and foot traffic, can cause injury to employees, damage to equipment and materials, and can limit egress in the event of an emergency.
 - Changes in elevation, such as steps, curbs, and ramps, should be marked or highlighted with a stripe of highly-visible paint or other non-skid material to assist in the identification of the known trip and fall hazard.
- **Guarding Floor and Wall Openings**

Floor openings and holes, wall openings and holes, and the open sides of elevated work surfaces may create hazards as people may fall through the openings or over

the side to the level below. Objects such as tools or parts, may also fall through holes and strike employees or damage machinery on lower levels.

- Standard railings shall be provided on all exposed sides of a stairway opening, except at the stairway entrance.
- Floor ~~openings~~ may be ~~covered~~ rather than ~~guarded~~ with ~~rails~~.—However, temporary guard rails shall be placed when the opening is uncovered.
 - A 'standard railing' consists of a top rail, mid rail, and posts, and shall have a vertical height of 42 inches from the upper surface of the rail to the walking surface. Nominal height of the mid rail shall be 21 inches.
 - A 'standard toe-board' is 4 inches in vertical height, with not more than ¼ inch clearance above floor level.
- **Guarding of Open-Sided Floors, Platforms, and Runways**

Every open-sided floor or work surface located 4 feet or more above the adjacent floor or ground level shall be guarded by a standard railing (as specified above) on all open sides, except where there is an entrance to a ramp, stairway, or fixed ladder. A toe-board shall be provided as well.
- **Guarding Stairways**

Every flight of stairs, with four or more risers, shall have standard stair railings or standard hand railings (as specified above).
- **Fixed Industrial Stairs**

Fixed industrial stairs shall be provided for access to and from places of work where operations necessitate regular travel between levels. These stairs shall:

 - Be strong enough to carry five times the normal anticipated live load.
 - At the very minimum, be able to carry a moving concentrated load of 1000 pounds.
 - Have a minimum width of 22 inches.
 - Be installed at angles to the horizontal of between 30 and 50 degrees.
 - Have a vertical clearance to an overhead obstruction of at least 7 feet from the leading edge of the tread.
- **Portable Ladders**

The primary hazard associated with the use of a ladder is falling. A poorly designed, maintained, or improperly used ladder may collapse under the load placed upon it and cause the employee to fall.

For specific safety procedures for different types of ladders, see the section on *Ladder Safety* in this manual.

- **Fixed Ladders**

A fixed ladder is a ladder permanently installed or attached to a structure, building, or equipment. Fixed ladders with a length of more than 20 feet shall be equipped with a safety cage or ladder safety device. A 'cage' is a guard that is fastened to the side rails of the fixed ladder or to the structure designed to encircle the climbing space of the ladder for the safety of the person who must climb the ladder. Cages should extend a minimum of 42 inches above the top of the landing unless other acceptable fall protection is provided.

- **Scaffolds**

- The footing or anchorage for scaffolds shall be sound, rigid and capable of carrying the maximum intended load without settling or displacement. Unstable objects, such as barrels, boxes, loose brick, or concrete blocks shall not be used to support scaffolds or planks.
- Scaffolds and their components shall be capable of supporting at least *four times* the maximum intended load.
- Scaffolds shall be maintained in a safe condition and shall not be altered or moved horizontally while they are in use or occupied.
- Damaged or weakened scaffolds shall be immediately repaired and shall not be used until repairs have been completed.
- A safe means must be provided to gain access to the working platform level through the use of a ladder, ramp, etc.
- Overhead protection must be provided for personnel on a scaffold exposed to overhead hazards.
- Guardrails, mid rails, and toe boards must be installed on all open sides and ends of platforms more than 10 feet above the ground or floor. Wire mesh must be installed between the toe-board and the guardrail along the entire opening, where persons are required to work or pass under the scaffolds.
- Employees shall not work on scaffolds during storms or high winds or when covered with ice or snow.

Fall Arrest Systems

Different types of personal fall arrest systems are available depending upon the nature of work and the specific conditions in the area where the work will take place.

- **Types of Fall Arrest Systems**

- *Personal Fall Arrest* systems are used to stop a fall once it has begun and includes an anchorage and connector, full body harness, lanyard, locking snap hooks, lifeline, and may include a descent control device.

- *Positioning Device* systems prevent falls by supporting the employee in a working position and eliminate the chance for a fall to begin. These systems include a body belt, harness, connector, locking snap hook, and proper anchorage.
- *Personal Fall Protection for Climbing Activities* protects the employee while climbing and anchors at a point that usually adjusts and moves with the climber.

- **Body Belts and Harnesses**

Only approved full-body harnesses shall be used. All recommendations of the equipment manufacturer shall be met, including care, storage, testing, and replacement.

A harness may be attached to either the center of the back at shoulder level, or above the head. Employees must follow the procedure described below to don their full-body harness:

- Inspect the harness before putting it on.
- Hold the harness by the D-ring and shake the straps into place.
- Release buckled straps and slip them over the shoulders with the D-ring in back.
- Pull the leg strap between the legs and connect to the opposing end.
- Waist strap should be tight but not binding.
- Connect chest straps and position in the middle of the chest.
- Ensure that the harness is snug but allows full movement.

PERSONAL PROTECTIVE EQUIPMENT - GENERAL REQUIREMENTS

- All employees shall wear clothing suitable for their particular type of work. Loose clothing shall not be worn while working around or near moving machinery or equipment.
- All department-approved special protective clothing or protective devices shall be used by employees when required by policy and/or department supervisors.
- Clothing that is soiled by oil or chemicals should be avoided to prevent skin irritations.
- When work is performed in the vicinity of exposed energized parts of equipment, employees shall remove all exposed conductive articles, such as key or watch chains, rings, wristwatches, or bands, if such articles increase the hazards associated with inadvertent contact with the energized parts.
- Rings or jewelry shall not be worn while climbing on or off structures or vehicles while performing any task where the ring might get caught under or snagged by a projecting item. In addition, rings and wristwatches with metal case and watchbands shall not be worn while working on or near energized equipment or lines.
- Department approved gloves shall be provided to and worn by all employees when work site operations could cause injury to the hands.
- Gloves and long sleeves shall be worn to protect hands and arms when handling cement, brush, sharp objects, hot materials, acids and other chemicals, or when there is a possible exposure to poison vegetation.
- Department approved head protection shall be provided to and worn by employees when working in areas where possible danger or head injury exists from impact, falling or flying objects, or from electrical shock and burns.
- Employees shall wear department approved eye and face protection where injury exists from flying objects, glare, liquid splashes, use of line trimmers, edgers, chemicals, grinding, sandblasting, and welding. Eye protection shall be kept in a sanitary and usable condition and shall be replaced when it becomes warped, scratched, or pitted.
- Department approved hearing conservation devices shall be provided to and worn by all employees working in areas where a danger of noise exposure exceeds acceptable levels.
- Employees shall wear footwear suitable to the type of work being performed. Safety boots or shoes shall be worn when required. Wearing of sandals, tennis shoes, loafers or similar footwear shall not be acceptable during working hours for employees serving in labor, maintenance, construction, or inspection positions.

- Department approved respiratory protection shall be worn in areas where dangerous air contamination, chlorine, gasses, vapors, fumes, dust, or other hazardous contaminants exist..
- Employees required to work in or near the roadway shall wear high visibility clothing, garments, and/or reflective vests with a reflectivity of Class III.
- Department approved fall protection devices, such as harnesses, lanyards, et., shall be used by all employees when working in an overhead position which may require use of both hands and when there is a danger of falling.
- Protective clothing and equipment shall be used and maintained in accordance with manufacturer's recommendations.

PERSONAL PROTECTIVE EQUIPMENT – FIRE & EMS SERVICES

- Fire and EMS services will follow their prescribed policies and procedures specific to their department.

PERSONAL PROTECTIVE EQUIPMENT – LAW ENFORCEMENT

- Law Enforcement will follow their prescribed policies and procedures specific to their department.

PERSONAL PROTECTIVE EQUIPMENT – ELECTRIC DEPARTMENT

- The Electric Department will follow their prescribed policies and procedures specific to their department

GENERAL RULES FOR MOTOR VEHICLE AND EQUIPMENT OPERATION

- Employees authorized to operate City of Bastrop vehicles or personally owned vehicles on City of Bastrop business, must have a valid Texas driver's license for the class vehicle they operate and must notify their supervisor immediately should the license be suspended or revoked.
- Motor vehicle record checks will be conducted annually on all employees who have driving or motorized equipment operation responsibilities.
- The certificate of insurance coverage and other required documents, along with accident forms should be carried in all City of Bastrop owned vehicles.
- All drivers of City of Bastrop vehicles must be familiar with and abide by all applicable state, federal, and local traffic regulations.
- All drivers/operators shall be responsible for the proper care and use of vehicles and motorized equipment. This includes maintaining City of Bastrop vehicle/motorized equipment interiors and exterior, regularly servicing these items and reporting maintenance needs to the supervisor.
- A driver/operator shall not permit any unauthorized persons to drive, operate or ride in or on a City of Bastrop vehicle. Riders shall not be allowed on running boards, tailgates, fenders, bumpers, atop cabs, on tow bars, or towed equipment. (Exceptions may include operator trainees and mechanics sharing operator positions.)
- Every accident involving personal injury or property damage shall be reported to your supervisor immediately.
- Where seat belts are provided, they shall be worn by all occupants. The size or operation of the vehicle or equipment does not excuse the operator from the seat belt requirement.
- Equipment on all City of Bastrop motor vehicles must conform to state, federal, and Department of Transportation (DOT) regulations if required.
- Unsafe and discourteous driving practices such as 'road-hogging', disregarding the rights of pedestrians, violating traffic regulations, and deliberate recklessness of any kind are prohibited.
- Getting in or out of a vehicle or mobile equipment while it is in motion is prohibited, as is riding anywhere on the vehicle or mobile equipment not designed for passengers. Employees should not get out of a vehicle or mobile equipment and leave the motor running, or drive or operate with a door ajar.

- Employees should maintain three points of contact with mobile equipment when entering and exiting to help in maintaining balance if a slip occurs. Many injuries occur as a result of slips and using three points of contact will help control this exposure. In addition, the condition of the handrails, steps, etc. should be inspected regularly.
- Smoking is prohibited in any areas where fueling is being performed.
- Except in emergencies, gasoline must not be carried inside passenger cars or the cabs of trucks. Gasoline shall be transported in approved safety containers and sealed tight to prevent the leakage of gasoline or gasoline vapors.
- Garage doors must be opened for ventilation whenever a motor vehicle engine is running to help prevent the accumulation of carbon monoxide gas.
- Driving a vehicle under the influence of alcohol or any controlled substance will not be tolerated. Never attempt to perform work or drive a vehicle when you are impaired by alcohol, medication, or drugs, including over-the-counter or prescription medications.
- Picking up hitchhikers is dangerous and prohibited.
- Drivers should clear all windows of any frost, ice, or dew before starting the vehicle. Cleaning only a small place on the windshield does not allow for proper visibility.
- Driving is a full-time job. Drivers should not engage in other activities, such as texting or calling someone, while operating a vehicle. The vehicle should be pulled off the road, stopped, and placed in park before performing these types of activities.
- Driving at the maximum posted speed limit can be too fast for safety in some situations. The drivers of all vehicles must use good judgment and proceed at a pace suitable to conditions of the vehicle, road, traffic, and weather.
- All vehicle cabs should be kept clean to reduce distractions to drivers and interference with the operation of the vehicle or equipment.

Backing

- When possible, park so that backing is not required.
- Extreme caution shall be exercised when backing any vehicle. If another employee is present, he/she must always act as a spotter outside of the vehicle in order to assist the driver in backing safely. Drivers shall stop immediately if they lose sight of the spotter.
- Backup alarms are a useful warning device and should be used when possible, especially on larger vehicles and equipment that may severely restrict your view to the rear of the vehicle. If an alarm is not present, the operator should honk his horn to warn others of the moving vehicle.

Stopping on Roadways

- When it is necessary to stop on the roadway, extreme caution shall be used.
- A rotating beacon light shall be used, if so equipped.
- Taillights/emergency flashers shall be used.
- If work is in progress, traffic control devices shall be used in accordance with the Texas Manual on Uniform Traffic Control Devices, Part VI. Please see additional information in the *Work Zone Traffic Control Safety* section of this manual.

Inspection of Vehicles and Equipment

- Drivers/operator shall utilize equipment checklists to inspect vehicles and equipment to determine if they are in good operating condition *prior* to operating the vehicle.
- The driver/operator shall determine that brakes are in good operating condition before using the vehicle or equipment. If brakes are not working properly, they must be corrected before use.
- The driver/operator shall report all defects promptly. Items that affect safety shall be repaired prior to continued use.

Powered Carts & Low-Speed Vehicles

Powered carts and other low-speed vehicles (LSV) such as golf carts, 'Mules', 'Gators', etc. should be driven with special care. This classification of vehicle includes those which are electric-, gasoline-, or diesel-powered (LSV) and may or may not be licensed to operate on public roadways. Vehicles not licensed (registered) by the Texas Department of Public Safety as an on-road vehicle should not be driven on public roadways.

The following operating rules apply to powered carts & LSV:

- Only drivers authorized by City of Bastrop and trained in the safe operation of powered carts and LSV shall be permitted to operate such vehicles.
- All prospective cart or LSV operators must receive training before being allowed to operate a powered cart or LSV.
- Seatbelts must be worn by all vehicle occupants at all times. The maximum number of passengers is equal to the number of seatbelts in the vehicle. All passengers must be in a seat while the cart is moving - no exceptions. Drivers violating this safety rule may have their driving privileges suspended or revoked.
- Operators and passengers shall keep arms and legs inside the cart or LSV at all times and shall not enter or exit any moving vehicle.

- Powered carts or LSV shall be driven on facility vehicle traffic areas whenever possible. If a sidewalk must be used, the cart speed should not exceed that of the pedestrian traffic.
- Carts or LSV which are capable of reaching 25 mph or higher must remain in facility vehicle traffic areas and should not be driven on the sidewalks or "pedestrian only" areas.
- Operators shall be familiar with and observe all established traffic laws.
- Materials and equipment shall be properly secured so that they will not shift or fall off of moving carts or LSV.
- Powered carts & LSV shall not be operated at night without properly working head and taillights.
- Be extremely cautious while making turns and while driving on uneven surfaces to avoid tipping in carts.
- Parking a powered cart or LSV should follow the same rules as a motor vehicle and is prohibited in the following areas:
 - Fire Lanes
 - Designated no parking areas
 - Adjacent to building entrances or exits

GENERAL ELECTRICAL SAFETY

- Keep electrical cables and cords clean and free from kinks. Never carry equipment by its cords.
- Keep cords out of walkways to prevent damage and trip and fall hazards.
- All electrical tools, equipment, extension cords, etc. shall be inspected on a regular basis. All faulty equipment shall be reported immediately to your supervisor. Lockout or tag the equipment so that others are aware the equipment is damaged. The tool, equipment, or cord shall not be used if it has any defects, such as bad insulation, missing grounds, loose prongs, etc.
- All electrical equipment shall be properly grounded.
- Extension cords should not be used in wet or damp areas. For adequate protection, a Ground Fault Circuit Interrupter (GFCI) should be used to protect employees in wet or damp locations.
- All circuit breakers shall be identified as to use. Maintain clear access to electrical panels and main power sources at all times. Electrical panels and boxes should be securely fastened.
- All electrical panel boards, boxes, disconnects, switch gears, etc. shall be covered or isolated to prevent accidental contact with energized parts and to protect equipment and wiring from potential contamination.
- Before work begins at a jobsite, the location of electrical lines (underground and above) shall be determined and precautions taken to prevent accidental contact.
- Electrical Lockout/Tag-out procedures shall be used when circuits or electrical equipment are being worked on. See *Lockout/Tag-out Safety* in this manual.
- Electrical cables passing through work areas shall be covered or elevated to protect them from damage, which could create a shock hazard.
- Metal ladders shall not be used when working near electrical circuits.
- Exposed light bulbs or fluorescent tubes shall be guarded or recessed in reflectors to prevent accidental breakage.
- To aid in the prevention of electrical shock, 120-volt, single phase, temporary receptacles used at work sites should be used with a GFCI. If a GFCI is not available, an assured equipment grounding conductor program may be used for added protection. Another option in protection from electrical shock involves the use of double insulated equipment.

- Employees involved in activities around hazardous energy levels should know cardiopulmonary resuscitation (CPR) and rescue procedures.

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LOCKOUT/TAGOUT SAFETY PROCEDURES

Definitions

- **Lockout and tag-out** are methods of preventing equipment from being set in motion unexpectedly, which in turn may endanger workers.
- **Lockout** is the placement of a lockout device on an energy isolating device to ensure that the energy isolating device and the equipment being controlled cannot be operated until the lockout device is removed.
- **Lockout device** is a device that utilizes a positive means such as a lock, either key or combination type, to hold an energy isolating device in the safe position thus preventing the energization of a machine or equipment.
- **Tag-out** is the placement of a prominent warning device, such as a tag, on an energy isolating device to indicate that the energy isolating device and the equipment being controlled may not be operated until the tag-out device is removed. Does not offer the physical protection of lockout.
- An **energy isolating device** is a mechanical device that physically prevents the transmission or release of energy. These devices can include, but are not limited to, electrical circuit breakers, disconnect switches, block valves, slip blinds, slide gates, etc.
- **Energy source** refers to any sources of electrical, mechanical, hydraulic, pneumatic, chemical, thermal, or any other energy.
- An **affected employee** is an employee whose job requires him/her to operate or use a machine or equipment on which servicing or maintenance is being performed under lockout or tag-out, or whose job requires him/her to work in an area in which such servicing or maintenance is being performed.
- An **authorized employee** is a person who uses locks and/or tags on machines or equipment while performing service or maintenance activities. An authorized employee and an affected employee may be the same person when the affected employee's duties also include performing maintenance or service on a machine or equipment which must be locked and/or tagged.

Employee Responsibilities

All equipment should be locked out or tagged out to protect against accidental or inadvertent operation when such operation could cause injury to personnel. Employees should never attempt to operate any switch, valve, or other energy isolating device that is locked or tagged out. Employees should be trained on the importance of lockout/tag-out procedures. Only authorized employees who have been trained in the procedures should be allowed to apply lockout or tag-out.

Preparations for Lockout/Tag-out

- Obtain the lockout/tag-out procedures for the equipment. After a review of the procedure, determine if changes may be necessary in the procedure.
- Identify all affected employees that may be impacted by the impending lockout/tag-out.
- Obtain necessary supplies, such as locks, tags, etc. that may be needed during the lockout or tag-out.

Sequence of Events to Implement Lockout/Tag-out

- Notify all affected employees that servicing or maintenance is required on a machine or equipment and that the machine or equipment must be shut down and locked out to perform the servicing or maintenance.
- The authorized employee should refer to the City of Bastrop written procedures to identify the type and magnitude of the energy that the machine or equipment utilizes. After identifying the type of energy source, the authorized employee should assure that he/she understands the hazards of the energy source and knows the methods to control the energy source.
- If the machine or equipment is operating, shut it down by the normal stopping procedures (depress stop button, open switch, close valve, etc.).
- Deactivate the energy isolating device(s) so that the machine or equipment is isolated from the energy source(s).
- Use lock(s) and/or tag(s) as necessary to prevent the accidental or inadvertent operation of the energy isolating device(s).
- Any stored or residual energy (such as that in capacitors, springs, elevated machine members, rotating flywheels, hydraulic systems, air pressure, steam pressure, gas pressure, etc.) must be dissipated or restrained by methods such as grounding, repositioning, blocking, bleeding down, etc.
- To ensure that the equipment is disconnected from the energy source(s), the authorized employee should follow these listed steps:
 - Check to make sure that no personnel are exposed to possible hazards
 - Verify the isolation of the equipment by operating the push button or other normal operating control(s) or test to make certain the equipment will not operate
 - Return the operating control(s) to the neutral or off position after verifying the isolation of the equipment.
- The equipment or machine should now be locked out.

Sequence of Events to Restore Machine or Equipment to Normal Operations

- Check the machine or equipment and the immediate area around the machine or equipment to ensure that nonessential items have been removed and that the machine or equipment components are operationally intact.
- Check the work area to ensure that all employees have been safely positioned or removed from the area.
- Verify that the controls are in the neutral position.
- Remove the lockout and/or tag-out devices and re-energize the machine or equipment.
- Notify affected employees that the servicing or maintenance is complete and the machine or equipment is ready for use.
- Return or file used lockout and/or tag-out devices.

Employee Training Requirements

- The employer should provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage and removal of the energy controls are acquired by the employees.
- Each authorized employee should receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy sources, and the methods and means necessary for energy isolation and control.
- Each affected employee should be instructed in the purpose and use of the energy control procedure.
- All other employees whose work areas may or may not be in an area where energy control procedures may be utilized should be instructed about the procedure and about the prohibition relating to attempts to restart or re-energize machines or equipment which are locked out or tagged out.

BLOODBORNE PATHOGEN SAFETY

- Employees who are at risk of contamination of blood borne pathogens are subject to the Texas Department of Health Subchapter H. Blood-borne Pathogen Exposure control Plan. The City of Bastrop has developed an Exposure Control Plan which is available to all employees. Employees are rated as to the type of risk and likelihood of contamination through the normal course of their job assignment or position. All employees with a moderate to maximum level of exposure should obtain a copy of and become familiar with Exposure Control Plan. Employees with a maximum level of exposure are subject to the testing criteria in the TDH Blood-borne Pathogens Exposure Plan. Employees should ask their supervisor, or the Human Resources Director for a copy of COB Exposure Control Plan and to determine the level of exposure risk in their specific position. Listed below is a general list of exposure risk levels by department. See chart below.

Min - Minimum Risk	Mod – Moderate Risk	Max – Maximum Risk
Position	Examples of Risk	Status
Government Administration		Min
Police	Direct or in-direct contact	Max
Court		Min
Fire/EMS	Direct or in-direct contact, needle sticks	Max
Sanitation Streets	Needle sticks, in-direct contact	Mod
Parks	Needle sticks, in-direct contact	Mod
Animal Control		Min
Electric		Min
Water/Sewer	In-direct contact	Mod
Code Enforcement	Needle sticks, in-direct contact	Mod
Custodians	Feces on walls	Mod

CONFINED SPACE SAFETY

(See Confined Space in Section 2)

- All potential hazards shall be evaluated prior to entry into a confined space.
- Only employees who have been properly trained on the hazards associated with confined space work shall be allowed to enter a confined space.
- If work is to be performed in a confined space, a written entry form system shall be followed. The entry supervisor shall complete the written entry form prior to entry to ensure that all safety equipment is in place and acceptable entry conditions are present.
- Before any entrance cover to a confined or enclosed space is removed, it shall be determined that there are no temperature or pressure differences or other hazardous conditions that may injure the employees removing the cover.
- No smoking shall be permitted in a confined space or near the entrance/exit area.
- When covers are removed from confined or enclosed spaces, the opening shall be guarded by a railing, temporary cover, or other temporary barrier.
- Before an employee enters a confined space, the internal atmosphere shall be tested for oxygen content, flammable gases and vapors, and potential toxic air contaminants. Approved and calibrated testing equipment shall be used to measure the concentration of the various gases.
- If an oxygen deficiency is found or if flammable or toxic gases or vapors are detected, the space shall be continuously tested and forced ventilation shall be used to maintain oxygen at a safe level and to prevent a hazardous concentration of flammable or toxic gases and vapors. If the confined space contains atmospheres that are immediately dangerous to life and health, a full face-piece pressure demand self-contained breathing apparatus (SCBA) or combination full face-piece pressure demand supplied air respirator (SAR) with auxiliary self-contained air supply will be used.
- Electric welding, gas welding, cutting, or any other hot work shall not be performed on the interior, exterior, or near the openings of any confined or enclosed space that may contain flammable or explosive gases or vapors until the space has been properly cleared. Monitoring shall be continuous during any hot work activities.
- If a hazard-increasing work activity is to take place in a confined or enclosed space (i.e., welding, painting, working with solvents and coating), the air in the space shall be continuously tested for the presence of flammable or toxic gases and vapors or insufficient oxygen. Forced ventilation shall be used as required.

- Before employees are allowed to enter a confined space, all electrical and mechanical energy sources that could affect the employees working in the space shall be physically rendered inoperative, locked out, and tagged. If required, the space shall be drained, vented, and cleaned.
- A properly trained attendant shall be stationed outside the confined space. The attendant shall maintain continuous communication with the employees authorized to be in the confined space. The attendant shall be able to recognize confined space hazards and changing conditions in the confined space that could affect employees in the space. In the event of an emergency, the attendant shall not enter the confined space but shall be able to summon emergency and rescue services.
- All employees required to enter a confined or enclosed space shall be equipped with a full body harness and lifeline monitored by a properly trained attendant. Other personal protective equipment and rescue devices may also be required depending on the situation.
- Compressed gas cylinders, other than breathing air, shall not be taken into a confined space.
- While work is being performed in an enclosed space, a person with CPR and basic first aid training shall be immediately available to render emergency assistance if there is reason to believe that a hazard may exist in the space or if a hazard exists because of traffic patterns in the area of the opening used for entry.
- Prior to entry, necessary rescue personnel and equipment shall be available in the event of an emergency.
- Safe access to the confined space shall be maintained at all times. If possible, all cords, hoses, leads, etc. shall be routed through an entrance other than the employee access into the confined space.
- Even though public entities in the state of Texas do not fall under OSHA requirements, sections of the OSHA Standards should be reviewed for minimum industrial standards.
- Notification to Fire Department if excavation of trench is 4 feet or deeper
- Notification to Fire Department if utilizing a slope and bench system when slopes of 1.5 : 1 or steeper are utilized. Slope and benching systems with slopes greater than 1.5 : 1 do not require Fire Department notification, unless the system is designed by an engineer utilizing tabulated data, rather than actual site data. All slope and bench systems designed using tabulated data, such as tables and charts, must be designed and approved by a registered Professional Engineer and reviewed by the Fire Department.

EXCAVATION AND TRENCHING SAFETY

(See Excavation and Trenching Safety in Section 2)

- Before opening an excavation, all interferences such as trees, sidewalks, and foundations shall be removed or supported as necessary to protect employees and the public.
- The estimated location of utility and other underground installations that may be encountered during excavation work shall be determined before opening the excavation.
- When excavation operations approach the estimated location of underground installations, the exact location of the installation shall be determined by safe and acceptable means.
- While the excavation is open, underground installations shall be protected, supported, or removed to safeguard employees.
- Employees exposed to vehicular traffic shall wear high visibility vests or clothing.
- Refer to Work Zone/Traffic Control Safety procedures as described in this manual.
- A stairway, ladder, ramp, or other safe means of egress shall be located in trench excavations that are four feet or more in depth so as to require no more than 25 feet of lateral travel for employees. Ladders must extend three feet above the surface and be tied off if necessary.
- No employee shall be permitted underneath loads handled by lifting or digging equipment. Employees shall be required to stand away from any vehicle being loaded or unloaded to avoid being struck by any spillage or falling materials.
- All mobile equipment (front end loaders, bulldozers, and dump trucks) shall be equipped with a warning device such as a backup alarm. When mobile equipment is operated adjacent to an excavation, a warning system shall be utilized such as barricades, hand or mechanical signals, or stop logs. If possible, the grade should be sloped away from the excavation.
- In excavations deeper than four feet with the potential for a hazardous atmosphere or oxygen deficiency, air testing shall be conducted before employees can enter an excavation and as often as necessary to ensure the atmosphere remains safe. Ventilation or respiratory protection may be needed to protect employees from harmful atmospheres.
- Daily inspections of the excavations and adjacent areas and protective systems shall be made by a competent person for evidence of situations that could result in a possible cave-in, failure of protective systems, hazardous atmospheres or other

hazardous conditions. An inspection shall be conducted prior to the start of work, when there are changes in weather conditions, if the excavation has been left unattended for a period of time (such as lunch), and as needed.

- Employees shall not work in excavations in which there is accumulated water or in an excavation in which water is accumulating unless adequate precautions have been taken to protect employees. The precautions necessary to protect employees adequately can include special support or shield systems, water removal, or the use of a body harness and lifeline.
- Surface water shall be prevented from entering an excavation by utilizing diversion ditches, dikes, or other suitable means.
- Excavations subject to run-off from heavy rains shall require an inspection by a competent person.
- Excavated earth (spoil), materials, tools, and equipment shall be placed no closer than two feet from the edge of the excavation.
- Where employees or equipment are required or permitted to cross over excavations, walkways or bridges with standard handrails and guardrails shall be provided.
- When excavations are left open, warning devices, barricades, or guardrails shall be placed to adequately protect employees and the public.
- At the end of the workday, as much of the excavation as practical shall be closed.
- Mechanical excavating equipment that is parked or operating on streets or highways shall be protected by proper warning devices.
- Each employee in an excavation shall be protected from cave-ins by an adequate protective system (sloping, benching, shoring, or shielding), unless excavations are made entirely in stable rock or are less than five feet deep and examination of the ground by a competent person provides no indication of a potential cave-in.
- When choosing protective system, a competent person shall take into consideration soil type, vibration sources, previously disturbed soil, layered soil, presence of water, heavy equipment work adjacent to the excavation, limited work area, and other hazard increasing conditions.
- Sloping, benching, shoring or shielding for excavations greater than 20 feet deep shall be designed by a registered professional engineer.
- A “competent person” as used in this section shall mean one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous or dangerous to employees, and who has the authorization to take prompt corrective measures to eliminate them.

WORK ZONE/TRAFFIC CONTROL SAFETY

- Work zone safety is the adequate safeguarding or protecting of pedestrians, motorists, utility workers and equipment by the use of adequate barriers, warning signs, lights, flags, traffic cones, high level standards, barricade rope, flaggers, etc. on approaches to work areas, excavations, open manholes, parked equipment, etc.
- Work zone traffic control is accomplished by the use of informative and protective devices, keeping in mind that a safe installation requires the use of these devices in relation to the location of the workers and equipment involved. The use of these devices must be coupled with proper planning, design, installation, inspection, maintenance and the use of good common sense. It is of utmost importance that the work area be properly identified and that warning devices clearly convey the message to the traveling public well in advance of arrival at the work area.
- The public must be warned, in advance, then regulated and guided through or around the work area. Proper work area protection shall be planned to ensure the safety and protection of the public, the worker, and the equipment.
- If street construction or repair work is to be done, preparations will be made to ensure vehicle and pedestrian safety before work is allowed to begin by use of a traffic control plan.
- If traffic is affected by the operation, proper signs must be used in advance of the work area, and the traffic control signs in and around the affected area are to be correctly placed and maintained for the duration of the period when work is being performed and traffic obstructions exist. State maintained rights-of-way must comply with (TMUTCD) Texas Manual on Uniform Traffic Control Devices.
- When barricades and signs are used overnight, supervisors will examine the work area for proper placement at the end of the workday.
- All employees working in or near the roadway will wear retro-reflective vests or suitable garments marked with or made of retro-reflective or high visibility material while at the work site. Garments worn at night must be made of retro-reflective material with a Class III reflectivity.
- Lighted barricades will be used whenever possible for overnight protection.
- Where traffic must be periodically stopped or obstructed by workers or equipment in a traveled portion of a roadway, a flagger wearing a reflective vest may be stationed. If lack of manpower exists, the roadway must be closed and the traffic detoured.
- Flaggers will be used to slow or direct traffic where the approach to the work area does not provide adequate visibility to drivers. The use of sign paddles (Stop/Slow) is preferred and should be used if available. During night operations, the flagger area should be illuminated and retro-reflective signs used.

- All plates used to cover holes in the street on a temporary basis are to be spiked in place.
- In any case where streets are significantly obstructed or closed for any period of time, the police, fire and other relevant departments will be notified of the situation and told approximately how long the closure will be in effect.
- When pedestrian traffic is impeded, barricades, restrictive tape, rope or other restraint will be used to keep the public from the work site.
- Holes in the sidewalk or parkway that must be left open will have perimeter protection. Protection of these areas will be in the form of physical barriers and warning signs.

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BACK INJURY PREVENTION & MATERIAL HANDLING

Back injuries are prevalent and continue to be one of the leading causes of on-the-job injuries in the workplace. The following procedures are designed to prevent injury and disability to employees; decrease lost productivity due to accidents and injuries; and decrease costs associated with these types of injuries.

Common Causes of Back Injuries

- Prolonged positions
- Poor posture
- Poor ergonomics
- Improper lifting/lifting too much weight
- Twisting while lifting
- Reaching while lifting
- Slips/trips and falls
- Vehicle and equipment entry and exit

Safe Lifting Principles

The following steps should be taken prior to lifting, handling, or carrying materials:

- Prior to beginning to lift or carry, check to ensure that the walkway is clear of all obstacles.
- Carefully check the object's weight and center of gravity.
- Face the object and get as close as you can with feet slightly apart and the head and neck facing forward. Grip the object firmly and hold it as close to your body as possible.
- Bend at your knees, not at your waist.
- Use your legs to bring you to a standing position, making the lift smooth and under control.
- Do not twist your body when lifting or lowering.
- If necessary, obtain assistance in lifting heavy objects by utilizing additional personnel, power equipment, or other types of assistive lifting devices.
 - When two or more persons carry a heavy object that is to be lowered or dropped, there shall be a pre-arranged signal for releasing the load.
 - When two or more persons are carrying an object, each employee, if possible, should face the direction in which the object is being carried. Crouch or squat with the feet close to the object to be lifted; secure good footing; take a firm grip; bend the knees; keep the back vertical; and lift by bending at the knees and using the leg and thigh muscles. Employees shall not attempt to lift

beyond their capacity. Caution shall be taken when lifting or pulling in an awkward position.

- Material shall not be thrown from place-to-place or person-to-person.

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FIRE PREVENTION & LIFE SAFETY

These procedures address specific exposures and prevention methods related to fire prevention and the life safety of employees.

Management Responsibilities

- Ensure all fire prevention methods are established and enforced.
- Ensure fire suppression systems such as sprinklers and extinguishers are periodically inspected, maintained, and are in working order.
- Train supervisors to use fire extinguishers for incipient (developing) fires.
- Train employees on evacuation routes and procedures.

Supervisor Responsibilities

- Closely monitor the use of flammable materials and liquids.
- Train assigned employees in the safe use, storage, and handling of flammable materials.
- Ensure flammable material storage areas are properly maintained.

Employee Responsibilities

- Use, store, and transfer flammable materials in accordance with provided training and policy.
- Do not mix flammable materials.
- Immediately report violations of this program to a supervisor.

Potential Hazards

- Fire and explosion hazards can exist in almost any work area. Potential hazards include, but are not limited to:
- Improper operation or maintenance of gas-fired equipment
- Improper storage or use of flammable liquids
- Smoking in prohibited areas
- Accumulation of trash and debris
- Unauthorized 'hot work' operations

Hazard Prevention and Control

All nonessential ignition sources must be eliminated where flammable liquids are used or stored. The following is a list of some of the more common ignition sources:

- Open flames, such as cutting and welding torches, furnaces, matches, and heaters, should be kept away from flammable liquids. Cutting or welding on flammable liquids equipment should not be performed unless the equipment has been properly emptied and purged with a neutral gas, such as nitrogen.
- Electrical sources of ignition, such as DC motors, switches, and circuit breakers should be eliminated where flammable liquids are used, handled, or stored. Only approved, explosion-proof devices should be used in these areas.

- Mechanical sparks produced as a result of friction should not be used near flammable liquids.
- Static sparks generated as a result of static electricity. Every effort should be made to eliminate the possibility of static sparks including proper bonding and grounding of tools and equipment.

Removal of Incompatibles

Materials that can contribute to a flammable liquid fire should not be stored with flammable liquids. Examples include oxidizers and fertilizers stored near petroleum-based products.

Control of Flammable Gases

Generally, flammable gases pose similar fire hazards as flammable liquids and their vapors and many of the same safeguards also apply. Other properties, such as toxicity, reactivity, and corrosivity must also be taken into consideration as a flammable gas could produce toxic combustion products.

Fire Extinguishers

A portable fire extinguisher is the “first aid” device and is very effective when used while a fire is small. The use of an extinguisher that corresponds to the class of fire, by a trained person, can save both lives and property. Portable fire extinguishers must be installed in all workplaces, regardless of other firefighting measures. The successful performance of an extinguisher in a fire situation largely depends on the proper selection, inspection, maintenance, and distribution. Always call 911 before attempting to put a fire out.

- **Classifications of Fire Extinguishers**

Fires are classified into five general categories, depending upon the type of material or fuel involved. The type of fire determines the type of extinguisher to be used to extinguish it.

- **Class A** fires involve combustible materials such as wood, paper, and cloth, which produces glowing embers or char.
- **Class B** fires involve flammable gases, liquids, and greases, including gasoline and most hydrocarbon liquids, which must be vaporized for combustion to occur.
- **Class C** fires involve live electrical equipment or materials near electrically energized equipment.
- **Class D** fires involve combustible metals such as magnesium, zirconium, potassium, and sodium.
- **Class K** fires involve cooking fats and oils found in deep fat fryers or other cooking appliances such as solid fuel char-broilers.

In many cases, areas will be equipped with an ‘ABC’-type extinguisher, which can be used for wide variety of common fires.

- **Location and Identification of Extinguishers**

Extinguishers should be conspicuously located and readily accessible for immediate use in the event of a fire. Generally, extinguishers will be placed along normal paths of travel and egress. Wall recesses and/or flush-mounted cabinets should be used whenever possible.

Extinguishers should be clearly visible. In locations where visual obstruction cannot be completely avoided, directional arrows will be provided to indicate the location of extinguishers and the arrow will be marked with the extinguisher classification.

If extinguishers intended for different classes of fires are located together, they will be marked to ensure the proper class of extinguisher is selected. Classification markings will be located on the front of the shell above or below the extinguisher nameplate and should be legible from a distance of three feet.

- **Condition of Extinguishers**

Portable extinguishers will be maintained in a fully charged and operable condition and kept in their designated locations at all times when not being used. When extinguishers are removed for maintenance, inspection, or testing, a fully charged and operable replacement should be provided.

- **Mounting and Distribution of Extinguishers**

Extinguishers should be installed on hangers, brackets, in cabinets, or on shelves, no more than 42-inches above the floor.

Extinguishers should be distributed such that the amount of time required traveling to the extinguisher and back to the fire does not allow the fire to get out of control. Generally, the travel distance for Class A and Class D extinguishers should not exceed 75 feet; Class B extinguishers should not exceed 50 feet, due to the quick spread of flammable liquid fires; Class C extinguishers should simply be placed where they are likely needed, based upon the given hazards; and, Class K extinguishers are generally located within a proximate distance to the cooking areas in which they are designed to protect.

- **Inspection and Maintenance of Extinguishers**

All extinguishers should be visually inspected on a monthly basis and tested and certified by a qualified service provider on an annual basis.

- **Use of Fire Extinguishers**

In most cases, recalling the **PASS** acronym will help remember the four steps of safe extinguisher use.

- **P**ull the pin (from the handle)
- **A**im the nozzle (at the base of the fire)
- **S**queeze the handle (to actuate the extinguisher)
- **S**weep the nozzle (from side-to-side)

Fire Safety Inspections

Each Department Director is responsible for conducting workplace fire inspections as a part of the normal workplace safety inspection. These surveys should include observations of housekeeping issues and should address proper storage of chemicals and supplies, unobstructed access to fire extinguishers and emergency exit or evacuation routes.

Emergency Exits

Every exit designated as an emergency exit should be clearly visible or the route to it conspicuously identified in such a manner that every occupant of the building will readily know the direction of escape from any point. At no time should exits or paths of egress be blocked.

Any doorway or passageway, which is not an exit or access to an exit, but which may be mistaken for an exit, should be identified by a sign reading "Not an Exit" or otherwise labeled as to the purpose (i.e., "Closet"). Exits and accesses to exits will be marked by a readily visible sign. Each exit sign (other than internally illuminated signs) should be illuminated by a reliable light source or phosphorescence.

Emergency Lighting

Emergency lighting in buildings, if equipped, should be tested at least monthly to ensure proper operational conditions in the event of an emergency. These tests should be completed in conjunction with the fire extinguisher visual inspections.

Evacuation Routes and Plans

Each facility shall design and post an emergency evacuation plan to allow employees and others to safely evacuate the building or affected area in the case of an emergency.

Should evacuation be necessary, proceed to the nearest exit or stairway and proceed to an area of refuge outside the building. Most stairways are fire resistant and are often equipped with barriers to smoke if doors remain closed.

Elevators should not be used. Should a fire involve the control panel of the elevator or the electrical system of the building, power in the building may be lost and employees could become trapped in the elevator, potentially between floors. Also, the elevator shaft can become a flue, lending itself to the passage and accumulation of hot gases and smoke generated by the fire.

Fire Emergency Procedures

The following procedures should be followed in the event of a fire within a building:

- Activate the nearest fire alarm, if equipped
- Notify the supervisor, co-workers, and other occupants
- Fight the fire only if:
 - The Fire Department has been notified of the fire, and
 - The fire is small and confined enough to its area of origin, and
 - The employee has a way out and can fight the fire with their back to the exit, and
 - The employee has the proper extinguisher, in good working condition, and knows how to use it.

- If the employee is unsure of their ability or the fire extinguisher's capacity to contain the fire, leave the area.
- Leave the building and move away from exits, maintaining clear path for emergency operations.
- Assemble in a designated area.
- Report to the appropriate supervisor or personnel that the employee is safe.

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TOOL SAFETY

- All tools shall be of an approved type and maintained in good condition.
- All tools shall be examined prior to use to ensure adequate working condition.
- Defective tools shall be tagged to prevent their use and removed from the jobsite.
- Employees shall be trained on the correct use, hazards, and limitations of tools used in the workplace.
- Gloves should be worn when they provide protection to the employee without increasing the chances of the employee becoming entangled at the point of operation.
- Tools shall not be left unsecured in elevated places. Tethering is recommended in areas where tools may fall to a lower level.
- Impact tools, such as chisels, hammers and punches that become mushroomed or cracked shall be replaced.
- Chisels and punches shall be held with a safe holding device, such as vice grips or pliers to avoid injury to employee's hand.
- Wrenches with sprung or damaged jaws shall not be used.
- Wooden handles that are loose, cracked or splintered shall be replaced, not taped or lashed.
- Power tools shall be disconnected from any power source while repairs or adjustments are being made.

Tool Carrying and Storage

- Employees should never carry sharp tools in their pockets unless the edges are protected.
- Employees should not carry tools in their hands while climbing a ladder. Hoist them with a rope or use an approved utility belt.
- Employees should protect their tools from falling when working from a scaffold, ladder or other elevated work areas.
- Employees should not leave their tools lying around where they may cause a trip/fall hazard. Tools no longer needed for the job shall be returned to their proper location.

LADDER SAFETY

- Wooden ladders shall not be painted so as to obscure a defect in the wood; only a clear nonconductive finish shall be used.
- All ladders shall be inspected regularly. Ladders with weakened, broken or missing steps, broken side rails, or other defects shall be tagged and removed from service.
- Ladders and scaffolds shall be sufficiently strong for their intended use. All ladders shall be capable of supporting at least 2.5 times the maximum intended load without failure.
- Ladders shall not be placed in front of doors opening toward the ladder unless the door is open, locked, or guarded.
- When ascending or descending ladders, employees shall have both hands free and shall face the ladder.
- Only City of Bastrop supplied ladders shall be used by employees.
- Ladders shall not be used as scaffold platforms unless specifically designed for that purpose.
- Boxes, chairs, etc. shall not be used as ladders.
- Portable metal ladders and other portable conductive ladders may not be used near exposed energized lines or equipment except in very specialized situations.
- The use of stepladders above 20 feet is prohibited and the use of extension ladders above 24 feet is strongly discouraged.
- All ladders used in fire service activities shall be (NFPA) National Fire Protection Association approved.

Straight Ladders

- Portable straight ladders shall be equipped with nonskid bases or shoes.
- The ladder shall be placed so that the distance between the bottom of the ladder and the supporting point is approximately one-fourth of the ladder length between the foot of the ladder and the upper support.
- Straight ladders shall not be climbed beyond the third step from the top.
- When working from a portable ladder, the ladder must be securely placed, held, tied, or otherwise made secure to prevent slipping or falling.

- When dismounting from a ladder at an elevated position (such as a roof) the employee shall ensure that the ladder side rails extend at least 3 feet above the dismount position, or that grab bars are present.
- Employees shall belt off to a ladder whenever both hands must be used for the job or a possibility of the employee falling from an elevated position exists.
- Ladders shall not be spliced together to form a longer ladder, unless specifically designed to be used as a section ladder.
- A ladder shall not be placed against an unsafe support.

Step Ladders

- The top step shall not be used, except for platform ladders.
- Stepladder legs shall be fully spread and the spreading bars locked in place.
- Stepladders shall not be used as straight ladders.
- When an employee is working on a stepladder more than 10 feet high (except a platform ladder), another person shall hold the ladder, or it should be tied to a support to prevent it from falling.

MATERIAL STORAGE SAFETY

- Material shall be stored in such a manner that it will be safe from damage. Special care must be taken to assure that stored material poses no hazard to anyone working around it. Only lightweight material should be stored on top shelves.
- Bins or shelves shall never be used as ladders.
- Materials shall not be stored on the floor, in front of shelving.

Housekeeping

- Work locations including vehicles, buildings, shops, yards, offices, cabs, etc. shall be kept clean and orderly at all times.
- Combustible materials, such as oil-soaked rags, waste and shavings shall be kept in approved metal containers with metal lids. Containers shall be emptied as soon as practical.
- Both clean rags and used rags shall be kept in metal or metal lined bins having metal covers.
- Permanent floors and platforms shall be kept free of dangerous projections or obstructions and shall be maintained reasonably free from oil, grease, or water. Where the type of operation produces slippery conditions, mats, grates, cleats or other methods shall be used to reduce the hazard from slipping.
- Stairways, aisles, permanent roadways, walkways and material storage areas in yards shall be kept reasonably clear and free from obstructions, depressions and debris.
- Materials and supplies shall be stored in an orderly manner so as to prevent their falling or spreading and to eliminate tripping and stumbling hazards.
- Rubbish and unused clothing shall not be allowed to accumulate in lockers.
- Paper and other combustible materials shall not be allowed to accumulate, and weeds or other range vegetation shall not be permitted to grow in or around storage areas, shops, substations, pole yards, buildings, fuel tanks or other structures.
- Batteries shall be stored in a well-ventilated area protected from sparks or open flames.
- All personnel will practice good housekeeping. Scrap material will be disposed of properly, and the work area should be free of any loose material.

Stacking Material

- When material is stacked, all possible precautions must be taken to assure that it will remain stable. The lower level must be blocked or tied to prevent slipping. The height of a stack of material should remain within reasonable limits.
- When unloading and/or stacking poles or pipe, great care should be exercised to maintain a safe work environment. Do not stand on poles or pipe. Watch for pinch points and stay out of the path of equipment during unloading. Avoid any contact with creosote, while unloading poles.

Flammable Material

- Under no circumstances shall flammable materials be stored in an area where heat or potential ignition sources may affect the stability of the material.
- All flammable materials shall be stored in a location that will not endanger life or property. Containers will be clearly and appropriately marked, in accordance with fire safety standards. In addition, storage facilities shall have a sign identifying the materials as “flammable”.
- Storage of open containers of flammable materials is prohibited. Container covers must be promptly replaced. Smoking will not be permitted inside any warehouse facility or outside near flammable or combustible materials in the equipment yard.
- Flammable liquids shall be used only for their designed purposes. Gasoline shall not be used for cleaning purposes or for starting or kindling fires.
- All solvents should be kept in approved, properly labeled containers. Gasoline and other solvents of this class shall be handled and dispensed only in approved, properly labeled, (yellow letters) red safety cans.
- When pouring or pumping gasoline or other flammable liquids from one container to another, metallic contact shall be maintained between the pouring and receiving containers. Transferring of flammable liquids from one container to another shall be accomplished only in properly ventilated spaces free from ignition sources.
- Strict adherence shall be paid to “No Smoking” and “Stop your Motor” signs at fuel dispensing locations.

Smoking

- Open flames shall not be permitted in areas where flammables or combustibles are present. Smoking will only be allowed in designated smoking areas and never in the vicinity of flammable materials. The absence of “No Smoking” signs shall not be considered authorization for smoking in hazardous locations.

SHOP SAFETY

Many safety-related hazards and exposures exist in workshops and maintenance garages. The following procedures were developed to serve as a reminder of some of the potential exposures that can be found in these areas. This is not an all-inclusive list and does not address all of the known or expected hazards. In many cases, references to alternative safety procedures contained within this manual are noted.

Air Compressors

- Drain valves on air compressors should be opened frequently to prevent the accumulation of liquid.
- Safety-relief valves will be installed on all compression tanks. These valves will be tested periodically to ensure their proper operation.
- Employees should never use compressed air to clean their hands or to blow dirt from clothing or body.
- When using compressed air for cleaning purposes, it must be kept at a level below 30 pounds per square inch (PSI).

Compressed Gas Cylinders

- If compressed gas cylinders are stored inside a building, the area will be kept dry and well ventilated. Oxygen and fuel gas cylinders must be stored separately.
- Cylinder carts, other than those designed to hold cylinders in an upright position, are prohibited. Upright cylinder carts must be equipped with a chain, bar or some other device that will act to stabilize the cylinder. If gauges are not attached to the cylinder, valve caps must be in place.
- Signage similar to the following must be posted in any cylinder storage area. "Danger – No Smoking, Matches, or Open Flames".
- See *Compressed Gas Cylinder Safety* section for additional safety requirements.

Grinders

- A face shield and safety glasses shall be worn while grinding. Any grinding equipment without proper safety features is not allowed in the workplace. Abrasive wheels shall only be used on machines that have guards that cover the spindle end, nut and flange projections.
- Grinder work rests must be designated to be adjustable to compensate for wheel wear. Work rest should be adjusted with a maximum clearance of 1/8-inch to help prevent work from jamming. Tongue guards must also be adjusted to within 1/8-inch.

- When replacing abrasive wheels, follow the manufacturer's directions for proper installation and inspection. All grinding wheels must be inspected prior to installation to ensure that the RPM rating of the wheel is correct for the grinder's RPM.

Electrical Safety

- Identify and label all electrical control devices, such as circuit breakers, fuses, disconnects, etc.
- All electrical outlets, including wall receptacles, extension cords, etc. must have an independent, third-wire ground system.
- All electrical tools and equipment shall be effectively grounded unless the tool is an approved double-insulated type.
- All electrical junction boxes shall have protective covers. All such boxes must have sufficient access space.
- See *Electrical Safety* section for additional requirements.

Material Storage

- Stored materials should stack in such a manner as not to create a hazard. Stack containers, boxes, parts, etc. in an orderly fashion to ensure stable stacking heights.
- Heavy bulky materials should be stored on lower shelves to minimize chances of injury due to falling objects.
- See *Material Storage Safety* section for additional requirements.

General Shop Safety

- Elevated storage platforms over four feet in height from floor level shall have standard handrails (includes a mid-rail and a top handrail) and toe boards. The handrails will be constructed of metal or wood sufficient to withstand 200 pounds of top rail pressure.
- Proper signage, such as "No Smoking" signs, will be installed in all areas where flammable or easily combustible materials are stored.
- Hooks used on hoisting equipment shall be equipped with a safety latch to help prevent dropping of any lifted load.
- The hoisting capacity of any hoisting equipment shall be printed clearly on the frame in lettering that is large enough to be read from ground level. All cranes shall be inspected on at least a monthly basis to assure their proper operation and condition.
- All shops shall have at least two accessible exits for emergency evacuations.

- Any doors not designated as exits that may be mistaken for exits should be clearly marked “Not an Exit.”
- All exits shall be identified by a clearly visible, illuminated, “Exit” sign.
- Only approved containers are to be used for the storage of flammable and combustible materials. Approved containers can be identified by the presence of a label from a certifying organization, such as Underwriters Laboratories (UL).
- Safety cans shall be painted red and clearly marked to identify the contents. Only approved pumps or self-closing faucets are to be used for dispensing flammable or combustible liquids.
- No guard shall be removed from any machine or piece of equipment except to perform required maintenance. Guards removed to perform maintenance operations shall be replaced immediately after the completion of the work.

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STORAGE & EQUIPMENT YARD SAFETY

- All vehicles shall have the emergency brake set when parked on a slope or down grade. Consideration should also be given to the use of chocks in these situations.
- All vehicles and equipment shall be parked in a position that does not require backing whenever possible. When backing a truck or machinery in the yard, use a spotter to assist you into position.
- Proper personal protective equipment should be evaluated before performing any work in the yard. It is not possible to identify all personal protective equipment that may be required due to the various types of assignments in that area.
- Miscellaneous tools, equipment and material should be stored on pallets instead of being placed on the ground. Pallets should be stacked in a way that ensures their stability. Stability may be influenced by many items such as the stability of the ground, the height of the stacked material, the configuration of the stacking, etc.
- Employees should always roll pipe from the ends or from behind to avoid placing their body in the pipe's path.
- All pipe racks will be fitted with pipe stops to prevent pipe roll-off. Stripping should also be used at the ends of the pipe to act as spacers.
- All aboveground fuel storage tanks should be protected on all four sides with heavy-duty guard posts and crash rails. Emergency cut-off switches shall also be installed near the pumping equipment and a fire extinguisher should be readily accessible.
- A diking system capable of holding the volume of the above ground storage tank should be constructed to help control potential spills.

WELDING & CUTTING SAFETY

- Welding and cutting shall only be performed by experienced and properly trained personnel.
- The work area shall be inspected for potential fire hazards before any cutting or welding is performed.
- When welding or cutting in elevated positions, precautions shall be taken to prevent sparks and hot metal from falling onto people or material below.
- Suitable fire extinguishing equipment shall be immediately available at all locations where welding and cutting equipment is used.
- Proper strikers shall be used in lighting torches. Matches and cigarette lighters shall not be used.
- A fire watch shall be maintained whenever welding or cutting is performed in locations where combustible materials present a potential fire hazard. A fire check should be made of the entire area after completion of welding or cutting activities.
- Machinery, tanks, equipment, shafts or pipes that could contain explosive or flammable materials shall be thoroughly cleared and decontaminated prior to the application of heat.
- In dusty or gaseous spaces where there is a possibility of an explosion, welding or cutting equipment shall not be used until the space is adequately ventilated.
- Adequate ventilation or approved respiratory equipment shall be used while welding in confined spaces or while cutting, brazing or welding zinc, brass, bronze, stainless steel, galvanized or lead coated materials.
- Welders shall wear clothing made of fire-resistant fabrics, gloves, appropriate footwear, sleeves and a buttoned collar. All protective clothes and equipment should be worn in a manner that provides the most efficient protection from slag or other hot material.
- When using an arc welder, use No. 10 or No. 12 shade lenses. When using acetylene torches for welding or cutting, use No. 5 or No. 6 shade lenses. Check lenses for scratches or cracks and replace before using.
- Regular shaded safety glasses do not provide adequate protection for welding or cutting operations.
- Proper eye protection in the form of safety glasses and a face shield should be worn during any portable grinding activities. Safety glasses should also be worn during any slag chipping activities.

Gas Welding

- Suitable eye protection, protective gloves and clothing shall be worn during welding or cutting operations or while cleaning scale from welds. Helpers or attendants shall wear proper eye protection. Other employees shall not observe welding operations unless they use approved eye protection.
- Matches shall not be used to light a torch. A torch shall not be lit on hot work.
- When gas-welding equipment is not in use, the cylinder valves shall be closed and the pressure in the hose released.
- Gas hoses shall not be positioned so they create tripping/slipping hazards.
- Always inspect oxygen or fuel gas hoses for leaks, burn spots, worn places, or other defects before pressurizing.
- When in travel bottles shall be secured and safety caps in place.

Electric Welding

- No electric welding machine, either AC or DC, shall be operated until the frame or case of the machine is electrically grounded for protection from potential shock hazards.
- All ground and electrode lead cables will be inspected before use for bad or damaged connectors. Only connectors designed for joining or connecting will be used for that purpose.
- Welders shall wear an approved welding helmet, proper protective gloves and fire-resistant clothing during welding activities. Proper eye protection in the form of safety glasses and/or a face shield should be worn by the welder and any helpers in the area when chipping slag, grinding, etc. Other employees shall not observe electric welding operations unless they use approved eye protection.
- Welders shall wear proper eye protection to guard against flying particles when the helmet is raised.
- Welding screens shall be used whenever practical to help control potential ultraviolet light exposures to other personnel in the area.
- Welding machines will be placed at least 4 feet apart.
- Fire extinguishers should be placed in the immediate area and a fire watch used as necessary to control any fire potential.

WEATHER-RELATED ILLNESS PREVENTION

Cold-Related Illnesses

- Hypothermia is when the body's temperature drops below normal, causing uncontrollable shivering, weakness, drowsiness, disorientation, unconsciousness, and even death. Persons working outdoors during the winter months should follow the guidelines listed below:
 - Dress in layers
 - Keep dry
 - Work with co-workers when possible

Heat-Related Illnesses

- Heat stroke, heat exhaustion, heat cramps and heat rash are health-related problems associated with working in hot environments. Heat-related illnesses can be caused by prolonged exposure to hot temperatures, limited fluid intake, or failure of temperature regulation mechanisms in the brain.
- The most serious health disorder associated with working in a hot environment is heat stroke. Symptoms of heat stroke include hot dry skin, no sweating, high body temperature, rapid heartbeat, mental confusion, or a loss of consciousness. While medical help is being called, the victim should be moved to a cool area and his/her clothing soaked with cool water. Vigorous fanning of the body will increase cooling. Death can occur if prompt first aid and medical help is not given.
- Heat exhaustion occurs as a result of excess fluid loss and failure to replace the minerals and fluid lost during sweating. Signs of heat exhaustion include extreme weakness or fatigue, giddiness, nausea, or headaches. The skin is clammy and moist and the body temperature is relatively normal. The best treatment for heat exhaustion involves resting in a cool place and drinking plenty of fluids.
- Heat cramps are painful muscle spasms, which are caused by excessive fluid and salt loss. Such cramps can be treated by consuming fluid replacement beverages.
- Heat rash is likely to occur in hot and humid environments where sweat cannot be easily evaporated from the skin surface. It can be prevented by resting in a cool place and allowing the skin to dry.
- By following a few basic precautions, health problems associated with working in hot environments can be prevented:
 - Those unaccustomed to working in the heat should be given time to adjust to work in a hot environment.
 - Employees should wear light, loose fitting clothing and protect themselves by wearing a hat. Sunscreen should also be used when prolonged exposures to sunlight may be possible.

- Drink plenty of fluids to help prevent dehydration. Five to seven (5-7) ounces of fluid are recommended every fifteen to twenty (15-20) minutes when working in extremely hot or humid conditions. Beverages containing alcohol or caffeine should be avoided to prevent dehydration.
- Alternate work and rest periods. Heavy work should be scheduled for the cooler parts of the day if possible.
- Educate employees on the symptoms, treatments and preventive measures for heat-related problems.

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PESTICIDE & HERBICIDE SAFETY

- When applicable, all employees who apply pesticides or herbicides shall be licensed.
- Before using any pesticide or herbicide, employees shall read the label carefully and follow the directions and precautions.
- Pesticides shall be stored in a properly labeled, tightly sealed container and under lock and key at all times. The building or structure shall be clearly marked with pesticide warnings.
- Before handling any pesticides/herbicide, the user should review the material safety data sheet and label to identify any personal protective equipment that will be needed to prevent a possible exposure.
- Mix the pesticides/herbicides in a well-ventilated, well-lit area. Mix only a recommended rate and apply only at specified dosages.
- Check application equipment for leaking hoses or connections, plugged or worn nozzles, and examine the filter to ascertain that it is free of debris.
- Employees shall avoid contact with skin or inhalation of mists or spray.
- Safety data sheets (SDS) shall be maintained and kept near material and storage locations.
- Spray equipment shall be cleaned daily when using oil-based solutions.
- Pesticides/herbicides shall not be stored or disposed of where they could contaminate people, property or waterways.
- Empty containers shall be disposed of in a safe manner.
- Pesticides/herbicides should only be applied under favorable time and weather conditions.
- Do not eat, drink or use tobacco products while handling pesticides/herbicides.
- Any application of herbicide or pesticide shall be done by a licensed applicator or work under the supervision of a licensed applicator through the (TDA) Texas Department of Agriculture.

CHAIN SAW SAFETY

Personal Protective Equipment

Employees operating a chain saw or related equipment shall, at a minimum, wear:

- safety glasses and/or face shields
- head protection
- hearing protection
- gloves
- cut-resistant chaps
- work shoes or boots
- fall protection, if necessary

Chain Saw Operation

- When starting a chain saw, it shall be placed on the ground or against a solid support. Do not hold the chainsaw off the ground when starting.
- Ensure the chain brake, if equipped, is locked before starting.
- The operator shall grip the chain saw with both hands during the entire cutting operation.
- The saw bumper shall be against the tree or limb before starting a cut.
- Chain saw operators shall regularly clear the immediate area around their work to make certain that brush or limbs will not interfere with the chain saw or operator.
- Chainsaws shall not be modified in such a way to allow locking of controls in the “on” position.
- The saw engine or motor shall be stopped when:
 - Working on any part of the chain or cutting bar.
 - Being moved from one location to another.
 - The unit is unattended.
- Gasoline driven chain saw engines shall be stopped when being refueled. If gasoline is spilled on the chain saw during refueling, it shall be wiped off before the engine is started.
- A gasoline driven chain saw shall not be used above shoulder level. Employees shall not approach the chain saw operator within the reach of the saw blade while it is in operation.
- Ropes, pulleys, etc. should be used as necessary to lower larger limbs that may endanger persons and property if allowed to “free-fall”.

- The proper use of fall protection and/or ladders should be reviewed with all employees prior to working from a position other than ground level.

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TREE CUTTING & TRIMMING SAFETY

Before attempting to trim, cut, or remove any tree, carefully consider its characteristics. Items to be considered include:

- Tree lean
- Tree size
- Wind conditions
- Nearby structures
- Nearby utilities
- Other trees or brush in the vicinity

Before cutting, clear the ground around the tree(s) where the work will be performed, carefully, removing any underbrush or other obstructions. This will provide clear vision, unrestricted movement, and an unhampered escape route when the tree or limb begins to fall.

In advance of the cutting, plan an escape route to the side or rear, depending upon the situation and likely direction of tree and limb fall.

As the tree or large limb begins to fall, stop the saw and lay it in a safe place that will allow unrestricted escape.

Trimming & Cutting Procedures

- Hold the saw firmly with both hands.
- If cutting entire tree, make a cut close to the base of the tree but high enough to conveniently avoid running the saw near the soil.
- Cut through trees up to 8-inches in diameter with one cut.
- On larger trees, notch (undercut) at least one-third of the trunk diameter on the fall side of the tree. Then, make a lower cut of the 45-degree notch first to prevent pinching or binding of the chain by wedge cut, if used.
- Make the cut to initiate the fall on the opposite side of the trunk about 2-inches above and parallel to the horizontal notch. Leave wood fibers intact to act as a hinge to keep the tree from twisting and falling in the wrong direction or kicking back on the stump.
- Guide the saw into the tree, do not force it.
- Remove the saw from the tree and shut down before the tree falls.

Preventing Saw Kickback

- Hold the saw firmly with both hands.
- Grip the top handle of the saw by wrapping hand and thumb firmly around handle.
- Use a saw equipped with chain brake or kickback guard.
- Watch for twigs or other impediments that could snag the chain.
- Don't pinch the chain bar while cutting.
- Saw with the lower part of the bar close to the bumper, not on the top near the nose.
- Maintain high saw speed when entering or leaving a cut in the wood.
- Keep the chain sharp.

FORKLIFT SAFETY

- Forklifts shall only be operated by authorized persons who have been properly trained in their use. This training should be documented and consistently used with all authorized operators and trainees.
- The operator is responsible for inspecting the equipment before it is used. The brakes and controls shall also be tested by the operator prior to use. Needed repairs shall be reported immediately.
- Equipment shall be operated at a safe speed for existing conditions, moving slowly around corners and avoiding holes and loose materials.
- Seat belts shall be worn when operating a forklift with rollover protection.
- Clearances shall be checked in all directions, particularly overhead clearances.
- Forklifts shall not be fueled while the engine is running.
- Forks shall be placed under the load as far as possible. Loads should not be raised or lowered while traveling. Loaded or empty, forks should be carried as low as possible, but high enough to clear uneven surfaces. (Usually about 6-12 inches on level surfaces.)
- Operators shall always face the direction of travel and also keep their arms and legs inside the equipment.
- Load limits as specified by the manufacturer shall not be exceeded.
- Do not travel with the load raised as this causes the center of gravity to rise, which may affect the tipping potential.
- Only the operator shall be allowed on the equipment during operation, unless a seat is provided for another occupant.
- A secured platform specifically designed for the purpose must be used when lifting personnel.
- Unattended forklifts (i.e., those in which the operator is more than 25 feet away or the forklift not in his/her view) shall have the load fully lowered, controls neutralized, power shut off and brakes set.
- Keep forks as low to the ground as possible when travelling loaded or unloaded.
- Equipment with internal combustion engines shall not be operated in enclosed areas for long periods of time so as not to exceed the allowable levels of carbon monoxide.

BACKHOE & LOADER SAFETY

- Operators shall be adequately trained and qualified to operate the equipment. The operators shall become thoroughly familiar with the equipment before using it and they must understand the contents of the operator's manual.
- The operator is responsible for inspecting the equipment before it is used. The brakes and controls shall also be tested by the operator prior to use. (Needed repairs shall be reported immediately). Observe proper maintenance and repair of all pivot pins, hydraulic cylinders, hoses, snap rings and main attachment bolts daily.
- Seat belts shall be worn on all equipment with rollover protection.
- Operators should maintain three points of contact with the equipment when entering or exiting. This will allow the operator to regain their balance if a slip occurs.
- Back-up alarms are a useful warning device and should be used when possible, especially on larger vehicles and equipment that may severely restrict the view to the rear of the vehicle. If an alarm is not present, the operator should honk his horn to warn others of the moving vehicle. Back-up alarms shall be operable at all times.
- No one is allowed around equipment while in operation.
- Only the operator shall be allowed on the equipment during operation, unless a seat is provided for another occupant.
- Employees shall never be allowed to ride in the bucket or use the bucket for an elevated platform.
- Walk around the equipment to observe for children and others before starting up. Consider the use of a spotter when backing the equipment.
- Keep bystanders in the clear while operating equipment. No one is allowed in a ditch while a backhoe is excavating.
- Locate underground utility lines and overhead power lines before starting to dig. (Always contact utility companies to physically locate any underground lines). Do not operate a backhoe within 10 feet of an overhead electrical line. Hand-dig in the vicinity of all known underground utility lines and pipelines.
- Never attempt to lift loads in excess of the equipment capacity.
- Never allow anyone to get under the equipment or reach through the lift arms while the bucket is raised.
- Relieve the pressure in any hydraulic lines before disconnecting them to make repairs. Any hydraulic implements that are not relieved shall be physically blocked to

protect against mashing injuries during maintenance or repair activities. Physical blocks may include safety stands, timbers, cinder blocks, etc. that can withstand the force.

- Use care at all times to maintain proper stability. Drive at safe speeds over rough ground, on slopes, when crossing ditches and when turning corners.
- To prevent upsets when operating on a slope, avoid using the full reach and swinging a loaded bucket to the downhill side.
- Always center and raise the boom before moving to a new location.
- Do not attempt to exit the equipment while it is still in motion. Apply the parking brake and shut down the engine before leaving equipment.
- Lubrication activities or mechanical adjustments shall not be attempted while the equipment is running if there is a possibility of contacting a pulley, belt, shaft, etc. that is in motion.
- Park the equipment on level ground when possible. At a minimum, the bucket should be lowered, the brakes set, the transmission engaged and engine killed when parking.
- Use care in attaching towing lines to the equipment. Pulling from the tractor rear axle or any point above the axle may cause an accident.
- Slow moving placards and other warning devices should be used to help other motorists in spotting the slow-moving vehicle from a safe distance.
- Avoid any adjustments and or replacements while hydraulics are under pressure.

DUMP TRUCK SAFETY

- Employees or other individuals shall not be carried in the bed for transportation purposes.
- Employees shall not remain in the cab when the bed is being loaded unless the cab is protected against impact.
- Check overhead clearances before raising the bed. Be aware of overhead electrical lines.
- Be sure hoist is not engaged before moving the truck.
- Loose material shall be covered to prevent blowing debris and spillage.
- Close windows during loading/unloading to control dust accumulation inside the cab.
- Operators of dump trucks must possess a valid Commercial Driver's License.
- Operators are responsible for cleaning debris, mud, rocks, etc. from the bed, fenders and other body parts that may become dislodged during travel.
- Back-up alarms shall be used when possible, especially on larger vehicles and equipment that may severely restrict the view to the rear of the vehicle. If an alarm is not present, the operator should honk the horn to warn others of the moving vehicle. Back-up alarms shall be operable at all times.
- All mirrors should be maintained in clean, good working condition and adjusted to assist the operator in viewing obstructions or other vehicles.
- Operators should maintain "three points of contact" with the equipment when entering or exiting the cab. This will allow the operators to regain their balance if a slip occurs.
- Never work under or around a raised bed without properly locking out the bed with locking arms.

TRACTOR & SHREDDER SAFETY

- The operator shall wear a securely fastened seat belt if the tractor/shredder is equipped with rollover protection.
- Guards around chains, shafts, pulleys, gears, etc. shall always remain in place while the equipment is in operation.
- Use caution when operating near slopes, cuts, depressions, drop-offs, soft shoulders, ditches, etc. Operators shall constantly watch for hidden objects and uneven ground. Hazardous areas shall be pre-cleaned and special hazards removed prior to mowing.
- Use care when entering traffic areas, crossing railroad tracks, etc.
- Operators should maintain three point of contact with the equipment when entering or exiting. This will allow the operator to regain his/her balance if a slip occurs.
- Back-up alarms should be used when possible, especially on larger vehicles and equipment that may severely restrict the view to the rear of the vehicle. If an alarm is not present, the operator should honk his horn to warn others of the moving vehicle. Back-up alarms shall be operable at all times.
- Only the operator shall be allowed on the equipment during operation, unless a seat is provided for another occupant.
- Lubrication activities or mechanical adjustments shall not be attempted while the equipment is running if there is a possibility of contacting a pulley, belt, shaft, etc. that is in motion.
- Take sharp turns at low speed.
- Proper personal protective equipment shall be worn at all times. On a tractor with an uncovered cab, the operator should as a minimum wear safety glasses and hearing protection. Other personal protective equipment such as gloves, face shields, sleeves, boots, etc. should be evaluated for individual jobs. Sunscreen should also be used in areas where the operator may be exposed to sunlight for long periods of time.
- Slow-moving placards and other warning devices shall be used to help other motorists in spotting the slow-moving vehicle from a safe distance.

LANDSCAPING & GROUNDS MAINTENANCE SAFETY

Power Lawn Mowers (Push, Riding, and Zero-Turn Radius)

Prior to use:

- If the employee is unfamiliar with a particular piece of equipment they should review the instruction/owner's manual.
- Ensure that all mowers are equipped with adequate and appropriate guards, which shall remain in place while the mower is in use, including rear shields, grass chute/deflector, and 'dead-man' controls.
- Any adjustments, inspections, or repairs, should be completed while the mower is at a complete stop. A spark plug wire shall be removed if necessary to prevent accidental starting.
- Fuel should be filled outdoors. No smoking is allowed while fueling.
- Walk the area to be mowed, carefully removing any debris including rocks, limbs, logs, or anything else the mower blades could throw while cutting.
- Avoid operation of mowers when public is within area of flying debris.

Mower Operation

- Proper personal protective equipment shall be worn for the task being performed. Necessary personal protective equipment includes protective eyewear, face shields, hearing protection, gloves, and work boots.
- Avoid directing the discharge opening toward other individuals or vehicles in the vicinity.
- When mowing on a slope or incline, it is safer to mow up and down the hill rather than across the face of the slope. Mowers should not be operated on a slope greater than 15 degrees.
- Avoid wet slopes to prevent losing traction and tipping over.
- Keep the mower's movement steady and slow enough to adequately maintain control.
- Maintain a safe distance from drop-offs, water, and other hazards.
- Do not make rapid corrections or turns.

Chippers

- Proper protective eyewear and hearing protection shall be worn by all employees near the chipper and other personal protective equipment may be necessary

depending on the activity. In addition, workers must be aware of entanglement hazards involving loose fitting clothes, gloves, etc.

- Chippers shall never be parked directly under the tree being trimmed.
- If the chipper is parked on or near the roadway, advance warning signs, flaggers, cones, etc. shall be used to identify and protect the work area.
- Spectators shall never be allowed to stand near the machine while brush is fed into the chipper.
- Employees shall never place hands or other parts of the body into the brush chipper while the chipper is in operation.
- The battery cables shall be disconnected prior to performing any task that may potentially put you in contact with the cutting blades.
- Tools or other metallic objects shall not be used to push brush into the chipper.
- The ignition key shall be removed when the chipper is left unattended.
- Employees shall be familiar with emergency shut-off procedures and ensure that the emergency shut-off is operational prior to use.

Line Trimmers & Edgers

- Proper protective eyewear and hearing protection shall be worn by all employees near the chipper and other personal protective equipment may be necessary depending on the activity.
- Never install a blade on a trimmer or edger that was not specifically designed for that machine.
- Carefully trim around vehicles, doorways, parking lots, and other areas where others may be as flying debris may cause injury.
- Allow machines to properly cool down prior to re-fueling. Hot engine parts and mufflers may cause a fire should fuels be spilled on or in them.
- Do not operate trimmers or edgers when public is within area of flying debris.

POISONOUS PLANT AWARENESS

Poison Ivy, Oak, and Sumac are classified as *Toxicodendrons* as the substances found in the sap are collectively known as urushiols. Other related plants and/or plant products (fruits, leaves, etc.) also contain similar oils.

Poison Ivy usually has three broad, spoon-shaped leaves or leaflets, but can have more. It may grow as a climbing vine, a creeping vine, or as a bush or shrub, depending upon the surrounding terrain and locale. Leaves are generally 1.5 to 4.5 inches long and 1.5 to 4.5 inches wide and can be shallowly lobed or almost entirely serrated. Poison Ivy is very common throughout Texas, often found along river or creek beds, fencerows, roadsides, and edges of open fields.

Poison Oak has leaves that look generally like oak leaves with usually three, but sometimes up to seven leaflets per group can be anywhere from one to six feet tall. As with Poison Ivy, Poison Oak grows as both a vine and shrub; however, Poison Oak vines generally do not climb. Poison Oak is generally found in more arid, sunny locations.

Poison Sumac has seven to thirteen paired leaflets per leaf stem and the leaves have smooth edge and pointed tips. It is generally found in wooded, swampy areas such as creeks and wetland areas. It is also important to remember that these plants may take on different characteristics during the various seasons and in different locations throughout the country.

- Sensitivity to these plants can vary and some people who do not appear sensitive may develop sensitivity on later exposures.
- Exposures to poison ivy, poison oak or sumac are greatest in the spring and summer months when the oil (urushiol) is most abundant.
- Onset of the rash is from a few hours to several days after exposure. The skin becomes red; blisters appear, usually accompanied by itching. As symptoms progress, swelling and fever may develop.
- If an employee is going to be in areas where there is poison oak or poison ivy is likely to grow. They should wear long pants and long sleeves, and if practical, gloves and boots. Their best protection is to identify the plant and avoid contact. Barrier creams can provide even greater protection and should be used prior to work in affected areas.
- Be aware that the plant's oily resin sticks to almost all surfaces and can even be carried in the wind (on particles of dust) when there is a fire burning.
- If an employee thinks they may have been in contact with poison ivy or poison oak, they should follow these simple procedures:

- Wash all exposed areas with cold running water as soon as you can. If this is done within five minutes, the water should neutralize or deactivate the urushiol in the plant's oil before it can bond with their skin and create a rash. Soap is not necessary and may even spread the oil.
- If possible, change clothes. Wash all clothing outside with a water hose before taking it into the work area or home to prevent the oil from being transferred to furniture or rugs. Resinous oils can last on tools and clothing for months unless properly cleaned or laundered.
- Mild rashes can be treated with lotions and by soaking in an oatmeal bath or covering the rash with wet compresses. Contact a physician for treatment of severe cases or if the irritation is not cleared up in three or four days.

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PAINTING SAFETY

- Read and follow the manufacturer's directions carefully when applying any finishing materials, such as lacquer, enamel, paint, etc. if questions arise as to the hazards of the substance, refer to the applicable Safety Data Sheet (SDS).
- Personal protective equipment, as recommended by the manufacturer, shall be used when applying the products.
- Any spray painting must be done with an adequate amount of clearance from any potential sources of ignition. When possible, painting should be performed in isolated areas where ignition sources do not exist or are very minimal.
- Proper ventilation and/or adequate respiratory protection must be addressed before any application begins.
- Any flammable substances, such as paints, thinners, etc., must be stored in proper storage areas or in a UL listed metal storage cabinet.
- Any flammable substances removed from their original containers shall be stored in UL listed storage containers, if the original container will not meet the requirements.
- Bond metal containers when transferring flammable liquids, especially those that are known Class I flammable liquids. Refer to Safety Data Sheets for flammability information.
- Use the proper type of respirator at all times when applying toxic paints. If questions arise as to the toxicity of the paint, refer to the applicable Safety Data Sheet (SDS).
- All employees required to use respirators shall be trained on the proper use of the assigned respirator. The employees shall also be made aware of any limitations of the respiratory protection.
- Never have more than one day's supply of flammable substances outside of an approved storage area.
- Clean up all spills promptly and in accordance with the requirements on the Safety Data Sheet (SDS).
- Dispose of oily, paint or solvent-soaked rags in metal containers with tight fitting lids to prevent possible chemical reactions that may result in "spontaneous combustion."
- Use properly designed and erected ladders, scaffolds, elevated mobile work platforms, etc., when painting above ground level. Do not work or place elevated equipment within 10 feet of power lines.

- When using spray guns and compressed air:
 - Follow all rules concerning the safe handling of combustible and flammable materials.
 - Exercise caution in the handling of compressed air equipment.
 - Adjust and regulate the air pressure on the spray gun before starting work.
 - Clean the spray gun and other equipment thoroughly after each use.
- Read and follow the manufacturer's directions carefully when applying any finishing materials, such as lacquer, enamel, paint, etc. if questions arise as to the hazards of the substance, refer to the applicable Safety Data Sheet (SDS).
- Personal protective equipment, as recommended by the manufacturer, shall be worn when applying the products.
- If a spray booth is available, it should be used whenever possible. All employees should be trained on the use of the booth ventilation system and it should be in operation during every spraying operation.

DRAFT

OFFICE SAFETY

- Employees shall walk cautiously up and down stairs and use handrails whenever possible.
- Caution shall be exercised when walking around blind corners.
- Desk drawers and file cabinets shall be kept closed when not in use.
- Only one drawer of a file cabinet shall be pulled out at a time.
- Boxes, chairs, buckets, etc. shall not be used in place of ladders.
- The floor shall be kept clear of tripping hazards such as telephone cords, electrical extension cords, paper cartons, etc.
- Employees mopping or waxing floors shall place warning signs to alert co-workers of the potential for slippery floors. In addition, all liquid spills shall be cleaned up immediately and signs put in place until the hazard is alleviated.
- Material shall be stored on shelves in a manner to prevent falling; heavy objects shall be placed on lower shelves.
- Hallways and aisles shall be kept clear of obstructions.
- All emergency exits, electrical panels, fire extinguishers, and emergency equipment shall be kept clear of all obstructions.
- Solvents or other toxic substances shall be used only with adequate personal protection or in well-ventilated areas. Safety Data Sheets (SDS) should be accessible to all employees who are using these substances.
- Employees shall not attempt to clean oil or adjust any machine that is running. If the machine is not equipped with a starting switch that can be locked in the "off" position, it shall be disconnected from the power source.
- Unsafe electrical cords, faulty equipment, or any other hazardous condition shall be reported and taken out of service until the repairs are completed.
- Broken glass and other sharp objects shall not be placed in wastepaper containers.

ERGONOMICS AWARENESS

Work Stations, Desks, and Counter-Tops

- Chairs should be easily adjustable and provide good lumbar support. If feet cannot rest firmly on the ground, a footrest may be provided. Chairs with a five-point base are recommended due to the stability that is provided.
- Sufficient leg room must be allowed for seated operators.
- The monitor should be positioned in front of the operator. The operator's eyes should be level with the top of the screen. Viewing distance between the user's eyes and the screen should be approximately 16 to 22 inches.
- The equipment or sources of light should be positioned so that glare or bright reflections on the display screen are minimized.
- The height of the chair and/or keyboard should be adjusted so that the shoulder-elbow-arm angle is approximately 70-90 degrees.
- Keyboard heights and placement should be adjustable. Use a cushioned palm rest if needed to keep user's hands and fingers in the same plane as the forearm and avoid resting wrists and forearms on sharp table edges.
- Work surface heights should range from 23 to 28 inches for seated workstations. In addition, the work area should be well organized with routine operations within easy reach and easily accessible.
- Document holders should be placed adjacent to and at the same height as the display screen.
- Operators should adjust positions frequently and get up and move around to help avoid fatigue.

Lighting, Noise and Heat

- Adequate but not excessive heat should be provided during cooler weather.
- Windows should be equipped with adjustable blinds.
- Use task lighting where extra illumination is required.
- Noise above 85 to 90 decibels (DBA) may be harmful to workers. When exposed to high noise levels, employees shall utilize hearing protection equipment to ensure proper working conditions.
- Whenever possible, isolate noisy machines and equipment in a remote location.

- Tailor work practices to prevent heat/cold-related disorders. Employees exposed to hot environments must know the appropriate medical steps to counteract life threatening situations such as hypothermia, heat stroke, heat exhaustion, and heat cramps.

DRAFT

AGGRESSIVE ANIMAL AWARENESS

- Any employees who are likely to encounter an aggressive animal during the performance of their normal duties, such as police officers, firefighters, field personnel, utility workers, etc. should be provided basic instructions to protect themselves.
- Animal Control should be called if an employee comes in contact with an aggressive animal.
- The area should be clear of other people while waiting for Animal Control. Crowds may scare the animal and cause it to attack.
- The animal's owner or handler should be contacted.
- Employees should not run away unless they are certain of quickly reaching a place of safety.
- The employee should back away slowly while continuing to speak in a firm, calm voice.
- The employee should back against any available object to prevent an attack from the rear if more than one animal is present.
- If attacked, the employee should use a baton, billy club or stick to strike the animal rather than throwing anything at it. Sprays may also be useful as a deterrent if available, but should only be used if the employee is not downwind and have been made familiar with its use.

WORKPLACE VIOLENCE AWARENESS

Recognition

Employees should learn to recognize signs that may precede violence in their co-workers or customers and report them to their supervisor. Employees should be cautious when they deal with a person who:

- Makes verbal threats on the job about getting “even” with co-workers or with their employer for disciplinary action or dismissal.
- Regularly threatens or intimidates others
- Claims people are out to get him or her
- Talks a lot about weapons
- Holds grudges
- Blames others for problems or setbacks
- Gets angry very easily and often
- Is defensive when criticized

Reporting

Report the following situations, events, or behaviors to the supervisor:

- A customer that becomes unusually angry with the employee because of perceived slow service, perceived poor conduct quality or lack of information
- A customer who talks abusively when making a telephone complaint
- A customer who threatens the employee or co-workers.

Respond

Respond effectively to a threatening or violent situation:

- Take all threats seriously
- Stay calm and be polite, look the person in the eye and do not argue or threaten
- Address each customer with a friendly greeting when on the phone or meeting the customer in person
- Be courteous at all times
- Notify the police if you are frightened or use a warning signal to alert co-workers
- Ask the employer for training to help employees deal with the public.

Protect

Protect employees on the job by:

- Keeping security and police department numbers near all phones.
- Knowing how to use an alarm or alert staff to possible danger.
- Developing a danger signal that can be used to alert others to possible danger.
- Meeting visitors in the lobby and escorting them to individual work areas.
- Reporting any unusual packages to appropriate personnel, do not open suspicious packages.
- Locking purses and personal belongings in a desk or locker.

- Reporting signs of a break-in and missing items immediately.

Security

Follow security policies and procedures:

- Keep locked doors locked, do not prop them open.
- Wear name tags or badges when required.
- Do not share access cards or entry codes.
- Do not allow non-employees (including ex-employees) to avoid sign-in and other visitor entry procedures.
- Do not engage in fistfights or other aggressive behavior at work.
- Do not bring a weapon in to your place of work.
- Do not drink or use drugs at work, or work under the influence.
- Report all threats and security violations.

After-Hours Work

Take special precautions when working late or alone. Employees should:

- Inform someone that they are working late.
- If possible, relocate their vehicle closer to the building.
- Advise the Police Department that they are working late and request a close patrol or escort when they leave.
- Lock the door to their work area if they are alone.
- Work near a phone.
- Work with lights on.
- Avoid using dark stairways or halls.
- If working with others, try to leave and walk to transportation together.
- Have their car keys ready as they leave the building.
- Check under and inside the car before unlocking it.
- Lock the car as soon as they are seated.
- Walk confidently and quickly to show that they know where they are going and what they are doing.
- Try to run away from an attacker if possible.
- Yell if they are being attacked to alert others.
- Give an attacker money or personal belongings on demand.

INDOOR AIR QUALITY

Regular and thorough cleaning is important to ensure good indoor air quality. Unsanitary conditions attract insects and vermin leading to possible indoor air quality (IAQ) problems from animals, insects, allergens or pesticide use. The presence of dirt, moisture, and warmth also stimulates the growth of molds and other microbiological contaminants. While janitors or custodians typically clean administrative offices, you can also play an important role in promoting and maintaining workplace cleanliness. The following items should be considered to ensure proper air quality in the work environment.

General Items

- Make sure that the office is dusted and vacuumed thoroughly and regularly.
- Make sure trash is removed daily.
- Make sure that food is not kept in offices overnight.
- Look for signs of pests.

Spills and Drain Traps

- Clean up spills on carpets involving liquid immediately.
- Make sure to pour water down drain traps periodically to minimize possibility of backups and the potential to allow sewer gases in rooms.

Moisture

- Excess moisture is the result of condensation on cold surfaces, leaking or spilled liquids, or excess humidity in the air.
- Periodically check for condensates on cold surfaces such as window glass, sills or frames, and air-condition vents. A routine maintenance program would help identify potential issues before they escalate into long-term problems.
- Seasonally inspect and repair leaking roofs to prevent water from entering the building.
- Check crawl spaces for standing water.
- Drain, clean, and decontaminate drip pans, cooling towers, room air conditioners, humidifiers, and dehumidifiers on a regular basis according to manufacturer's specifications.
- Replace water-damaged carpets, furnishings, ceiling tiles or building materials as necessary.

Temperature and Humidity

- Generally, temperature should range between 72-76 degrees Fahrenheit to ensure adequate comfort factors in the workplace.
- Humidity levels should range from 30% to 60%.

Local Exhaust Ventilation

- Local exhaust fans are recommended to prevent air pollutants from accumulating and spreading beyond the local area or room where pollutants are generated. Areas where exhaust ventilation should be considered will include smoking areas, kitchens, and breakrooms.

Air Exchange Ventilation

- Have the heating, ventilating and air conditioning system inspected on a regular basis.
- Ensure that the ventilation system is working correctly to allow indoor air to be exhausted outside and outside air is drawn into the building.
- Make sure to periodically check unit ventilators, air supply, and return vents to ensure that they are working properly and to confirm that the air is flowing into the room from the air supply vents:
 - Hold a tissue or strips of lightweight plastic near the supply vents. If air is flowing, the plastic or tissue will flutter away from the supply vent.
 - Make sure that the airflow is not diverted or obstructed by objects.

Printing and Duplicating Equipment

- Printing and duplicating equipment can generate indoor air pollutants. Common types of equipment found in the workplace include photocopiers and computer laser printers. To reduce indoor air quality concerns with this type of equipment:
 - Make sure the equipment is located in a ventilated area.
 - Have safety equipment available such as dust mask, respirator, gloves, and eye protection to minimize contact.
 - Provide routine maintenance for equipment to ensure that is operating correctly.

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Presentations

Receive presentation on the Safety Manual
(Submitted by: Tanya Cantrell, Human
Resources Director)



The Public Safety Team:

- Robert Champion, Public Works
- Eric DeArmitt, Fire
- Charlie Elliott, Public Works
- Sheriah Eskew, Finance
- Paul Gonzales, Public Works
- Fernando Guerrero, Water & Wastewater
- Amy Jordan, Police
- Bubba Townsend, Bastrop Power & Light
- Kim Walters, Municipal Court
- Robert Ybarbo, Parks



Safety Team Mission

As a member of the Safety Team, they are charged with focusing on:

- Policies
- Preventative measures
- Accident reviews/assessments
- Education

An effective Safety Team has a significant impact on:

- Health & Safety throughout the organization's culture
- Saving money through reduced worker's compensation costs
- Fewer lost work days
- Increased productivity due to higher employee morale

Purpose of the Safety Team:

- Reduce the risk of workplace injuries and illnesses
- Inform and educate employees about safety and health issues throughout all levels of each department
- Set meaningful and attainable goals for safety throughout the organization
- Ultimate goal is for all employees to safely return to their families at the end of each workday

Safety Responsibilities

Management Safety Responsibilities:

- Provide leadership and direction concerning safety activities
- Participate actively in the continuous evaluation of the safety program
- Set goals concerning safety performance within the department
- Review losses for potential trends on a regular basis

Safety Responsibilities

Management Safety Responsibilities:

- Enforce all safety rules
- Participate in facility and work site audits
- Participate and support all accident investigation activities
- Review accident reports and recommend corrective actions

Safety Responsibilities

Supervisor Safety Responsibilities:

- Familiarize themselves with and enforce the safety rules and regulations that have been established by applicable local, state, and federal organizations
- Correct, or have corrected, all reported hazards.
- Do not permit new or inexperienced employees to work with power tools, machinery or complex equipment without proper instruction and training
- Give adequate instructions and do not assume that an employee knows how to do a job correctly

Safety Responsibilities

Supervisor Safety Responsibilities:

- Ensure tools, equipment, and machinery are in proper working condition.
- Give adequate instructions and do not assume that an employee knows how to do a job correctly
- Ensure proper PPE (Personal Protective Equipment) is available and utilized

Safety Responsibilities

Supervisor Safety Responsibilities:

- Always set a good example (wear proper PPE & follow policies and procedures)
- Consistently enforce the requirements and rules of the organization's safety program
- Ensure all employees have access to a copy of the safety manual
- Encourage safety suggestions from employees under their supervision

Safety Responsibilities

Supervisor Safety Responsibilities:

- Obtain prompt first aid for injured employees
- Participate in accident investigations or incident investigations involving your employees
- Conduct audits of all work areas and facilities on a regular basis in an effort to improve housekeeping, eliminate unsafe conditions and encourage safe work practices
- Report all accidents/incidents to Human Resources as soon as they occur

Safety Responsibilities

Employee Safety Responsibilities:

Employees bear a certain amount of responsibility in any safety program. They must be aware that their actions, knowledge, mental state, physical condition, and attitude directly affect the safety of themselves and their fellow employees.

Safety Responsibilities

All Employees Will:

- Know their job, follow instructions, and think before they act
- Use appropriate PPE as dictated by the job and by policy
- Work according to written safety practices as trained, posted, instructed, or discussed.
- Refrain from any unsafe act that might endanger themselves or their fellow workers
- Never take short-cuts and use all safety devices provided for their protection

Safety Responsibilities

All Employees Will:

- Report any unsafe situation or act to their supervisor immediately
- Assume responsibility for thoughtless or deliberate acts that may cause injury to yourself or your fellow workers
- Never operate equipment that you are unfamiliar with or not trained to use. Also, equipment that is defective or in need of repair shall not be used and must be reported to your supervisor.
- Report all accidents/incidents to your supervisor as soon as they occur

KEY ELEMENTS

- Accident/Incident Investigation Policy
every accident and incident (near miss) will be investigated
- Safety meetings will be held on a regular basis
- New Employee Safety Orientation
- Documentation of Safety Meetings & Training
- Safety Audit & Inspection Policy
- Recordkeeping Policy (HR, Finance, Department Director)

ULTIMATE GOAL

- To ensure that all of our employees safely return to their families at the end of each workday.





STAFF REPORT

MEETING DATE: May 25, 2021

AGENDA ITEM: 8A

TITLE:

Consider action to approve City Council minutes from the May 11, 2021 Regular meeting.

AGENDA ITEM SUBMITTED BY:

Ann Franklin, City Secretary

BACKGROUND/HISTORY:

N/A

POLICY EXPLANATION:

Section 551.021 of the Government Code provides as follows:

- (a) A governmental body shall prepare and keep minutes or make a tape recording of each open meeting of the body.
- (b) The minutes must:
 1. State the subject of each deliberation; and
 2. Indicate the vote, order, decision, or other action taken.

FISCAL IMPACT:

N/A

RECOMMENDATION:

City Secretary, Ann Franklin recommends approval of the City Council minutes from the May 11, 2021 Regular meeting.

ATTACHMENTS:

- May 11, 2021 DRAFT Regular Meeting Minutes.

MAY 11, 2021

The Bastrop City Council met in a regular meeting on Tuesday, May 11, 2021, at 6:30 p.m. at the Bastrop City Hall Council Chambers, located at 1311 Chestnut Street, Bastrop, Texas. Members present were: Mayor Schroeder, Mayor Pro Tem Nelson and Council Members Jackson, Ennis, Peterson, and Rogers. Officers present were City Manager, Paul A. Hofmann; City Secretary, Ann Franklin; and City Attorney, Alan Bojorquez.

CALL TO ORDER

Mayor Schroeder called the meeting to order at 6:30 p.m. with a quorum present.

PLEDGE OF ALLEGIANCE

INVOCATION

Bob Long, Police Chaplain, gave the invocation.

INDIVIDUAL CONSIDERATION – PART 1 OF 2 (ELECTION PROTOCOL)

- 4A. Consider action to approve Resolution No. R-2021-49 of the City Council of the City of Bastrop, Texas to canvass the May 1, 2021 Election for Place 4 of the Bastrop City Council; and establishing an effective date.
A motion was made by Council Member Peterson to approve Resolution No. R-2021-49, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

There was a recount of the May 1, 2021 Election conducted on May 10, 2021.

OATH OF OFFICE

- 5A. Incumbent Council Member Drusilla Rogers, Place 2
- Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423
 - Signature of official documents, Ann Franklin, City Secretary
 - Welcome by Council
 - Comments by Council Member Drusilla Rogers
- 5B. Incoming Council Member Jimmy Crouch, Place 4
- Swearing Oath of Office, The Honorable Chris Duggan, State District Judge, District 423
 - Signature of official documents, Ann Franklin, City Secretary
 - Welcome by Council
 - Comments by incoming Council Member Jimmy Crouch

Mayor Schroeder recessed the Council Meeting at 6:45 P.M.

Reception for newly elected council members – Recess Meeting

Mayor Schroeder called the Council Meeting back to order at 7:00 P.M.

- 4B. Election of Mayor Pro Tem.
A motion was made by Council Member Peterson to nominate Council Member Nelson as Mayor Pro Tem, seconded by Council Member Rogers, motion was approved on a 4-0 vote. Mayor Pro Tem Nelson abstained.

PRESENTATIONS

- 6A. Mayor's Report
- 6B. Council Members' Report
- 6C. City Manager's Report
- 6E. Proclamation of the City Council of the City of Bastrop, Texas, recognizing May 9-15, 2021 as National Police Week for the City of Bastrop, TX. (Submitted by: Clint Nagy, Chief of Police)
The proclamation was read into record by Mayor Schroeder and accepted by police officers representing the Bastrop Police Department.
- 6D. Proclamation of the City Council of the City of Bastrop, Texas recognizing May 16-22, 2021 as Public Works Week for the City of Bastrop, Texas. (Submitted by: Curtis Hancock, Director of Public Works)
The proclamation was read into record by Mayor Schroeder and accepted by Public Works employees.
- 6H. Proclamation of the City Council of the City of Bastrop, Texas recognizing May 9-15, 2021 as Economic Development Week for the City of Bastrop, Texas. (Submitted by: Paul A. Hofmann, City Manager)
The proclamation was read into record by Mayor Schroeder and accepted by Kathryn Nash, Bastrop Economic Development Corporation (BEDC) Board Chair; Jean Riemenschneider, Project Manager, BEDC; Angela Ryan, Operations Manager, BEDC; and Genora Young, Interim Executive Director, BEDC.
- 6F. Proclamation of the City Council of the City of Bastrop, Texas recognizing May as Older Americans Month for the City of Bastrop, Texas. (Submitted by: Paul A. Hofmann, City Manager)
The proclamation was acknowledged by Mayor Pro Tem Nelson.
- 6G. Proclamation of the City Council of the City of Bastrop, Texas recognizing May 3rd as Air Quality Awareness Week for the City of Bastrop, Texas. (Submitted by: Paul A. Hofmann, City Manager)
The proclamation was acknowledged by Mayor Pro Tem Nelson.
- 6I. Presentation of the FY2021 second quarterly report for January through March of 2021. (Submitted by: Rebecca Gleason, Assistant City Manager)
Presentation was made by Rebecca Gleason, Assistant City Manager.

WORK SESSION/BRIEFINGS – NONE

STAFF AND BOARD REPORTS

- 8A. Review and discuss the Draft Five-Year Capital Improvement Program 2022-2026.
(Submitted by: Fabiola De Carvalho)
Presentation was made by Fabiola De Carvalho, Engineer Director.

Mayor Schroeder recessed the Council Meeting at 8:34 P.M.

Mayor Schroeder called the Council Meeting back to order at 8:39 P.M.

CITIZEN COMMENTS - NONE

CONSENT AGENDA

A motion was made by Mayor Pro Tem Nelson to approve Items 10B and 10C as listed on the Consent Agenda after being read into the record by City Secretary, Ann Franklin. Seconded by Council Member Rogers, motion was approved on a 5-0 vote.

- 10B. Consider action to approve the second reading of Ordinance No. 2021-05 of the City Council of the City of Bastrop, Texas, amending the budget for the Fiscal Year 2021 in accordance with existing statutory requirements; appropriating the various amounts herein as attached in Exhibit A; repealing all prior ordinances and actions in conflict herewith; and establishing an effective date. (Submitted by: Tracy Waldron, Chief Financial Officer)
- 10C. Consider action to approve Resolution No. R-2021-48 of the City Council of the City of Bastrop, Texas approving a Public Improvement Plan Agreement with Hunt Communities for The Colony MUD 1C Section 4, as attached in Exhibit A; authorizing the City Manager to execute all necessary documents; providing for a repealing clause; and establishing an effective date. (Submitted by: Jennifer Bills, Assistant Director of Planning)

DISCUSSION

- 10A. Consider action to approve City Council minutes from the April 27, 2021 Regular meeting. (Submitted by: Ann Franklin, City Secretary)
A motion was made by Council Member Jackson to approve the minutes from the April 27, 2021 Regular meeting with the language read into record by Council Member Jackson at the April 27, 2021 meeting (Attached as Exhibit A), the motion failed for lack of a second.

A motion was made by Council Member Rogers to approve the minutes from the April 27, 2021 Regular meeting as written, seconded by Mayor Pro Tem Nelson, motion was approved on a 4-1 vote. Council Member Jackson voted nay.

ITEMS FOR INDIVIDUAL CONSIDERATION

11A. Consider and adopt on first and final reading Ordinance No. 2021-04 as an emergency measure ratifying temporary Emergency Orders enacted by the Mayor in her capacity as Emergency Management Director in regard to the current Local State of Disaster, for the immediate preservation of the public peace, health or safety.

Mayor Schroeder did not approve any Emergency Orders since the last Council meeting.

11B. Consider action to approve Resolution No. R-2021-47 of the City Council of the City of Bastrop, Texas, authorizing the expenditure of Bastrop Economic Development Corporation funds to engage Terracon to conduct a Geotechnical Study and a Phase I Environmental Site Assessment in the southern portion of the Bastrop Business and Industrial Park in an amount not to exceed twenty-eight thousand dollars (\$28,000.00); and providing an effective date. (Submitted by: Jean Riemenschneider, BEDC Project Manager)

Presentation was made by Jean Riemenschneider, BEDC Project Manager.

A motion was made by Council Member Peterson to approve Resolution No. 2021-47, seconded by Council Member Jackson, motion was approved on a 5-0 vote.

11C. Consider action to approve Resolution No. R-2021-50 of the City Council of the City of Bastrop, Texas confirming appointments by the Mayor of Jeff Haladyna to Place 6 on the Bastrop Economic Development Corporation Board, as required in Section 3.08 of the City’s Charter, and establishing an effective date.

A motion was made by Council Member Rogers to approve Resolution No. 2021-50, seconded by Mayor Pro Tem Nelson, motion was approved on a 5-0 vote.

Adjourned at 8:45 p.m. without objection.

APPROVED:

ATTEST:

Mayor Connie B. Schroeder

City Secretary Ann Franklin

The Minutes were approved on April 27, 2021, by Council Member Name('s) motion, Council Member Name('s) second. The motion was approved on a 0-0 vote.

EXHIBIT A**Draft 2.5****Juneteenth Motion**

Over 400 years ago free Africans were captured, tortured, enslaved and brought to the United States. They were forced to work the fields, fight in battle and perform manual labor without pay. They were not even considered human, had no rights, could not vote and were treated as personal property until 1863 when President Abraham Lincoln signed the Emancipation Proclamation which freed them; however Texas did not free their slaves until June 19, 1865. Juneteenth is a day of Emancipation and freedom which deserves to be recognized and celebrated especially in Texas cities. As systemic racism and hatred has continued to exist in our country I respectfully request that we as a city council honor my motion to make Juneteenth a stand alone city holiday like the Fourth of July and Texas Independence Day.

Mark Wingfield Quote

This year, Juneteenth must not be a “black holiday.” If we are to find a way forward in our country, if we are to be authentic followers of Jesus, we must find the humility to admit that we don’t know nearly as much as we think we do. This year, Juneteenth must become a day for all of us to earnestly fill in the gaps of the stories we have not been taught. To fail to do so will leave us all in bondage.



STAFF REPORT

MEETING DATE: May 25, 2021

AGENDA ITEM: 9A

TITLE:

Consider and adopt on first and final reading Ordinance No. 2021-04 as an emergency measure ratifying temporary Emergency Orders enacted by the Mayor in her capacity as Emergency Management Director in regards to the current Local State of Disaster, for the immediate preservation of the public peace, health or safety.

AGENDA ITEM SUBMITTED BY:

Paul A. Hofmann, City Manager

BACKGROUND/HISTORY

A declaration of local disaster and public health emergency includes the ability to take measures to reduce the possibility of exposure to disease, control the risk, prevent the spread of the disease, and promote the health and safety of individuals in the City of Bastrop; and

FISCAL IMPACT:

N/A

RECOMMENDATION:

Recommend adopting on first and final reading Ordinance No. 2021-04 as an emergency measure ratifying temporary Emergency Orders enacted by the Mayor in her capacity as Emergency Management Director in regards to the current Local State of Disaster, for the immediate preservation of the public peace, health or safety.

ATTACHMENTS:

- Ordinance No. 2021-04

EMERGENCY ORDINANCE 2021-04

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, CONFIRMING AND RATIFYING THE EMERGENCY ORDERS ISSUED BY THE MAYOR AS THE EMERGENCY MANAGEMENT DIRECTOR, AS DESCRIBED IN EXHIBIT A; PROVIDING FOR FINDINGS OF FACT, REPEALER, SEVERABILITY, ENFORCEMENT, AND PENALTY; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the novel coronavirus (COVID-19) has been recognized globally as a contagious respiratory virus; and

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott declared a State of Disaster for all counties in Texas, and the President of the United States of America declared a national emergency in relation to COVID-19; and

WHEREAS, on March 16, 2020, the Mayor issued a Declaration of Local Disaster to allow the City of Bastrop to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Bastrop residents; and

WHEREAS, Section 418.108 of the Texas Government Code provides that a declaration of local disaster activates the City's Emergency Management Plan; and

WHEREAS, in furtherance of the declaration of local disaster, the Mayor issued certain orders pursuant to Chapter 418 of the Texas Government Code; and

WHEREAS, Section 3.15(b) of the Bastrop City Charter allows the City Council to adopt an emergency ordinance relating to the immediate preservation of the public peace, health or safety, and such emergency ordinances shall take effect immediately upon adoption and execution without a second consideration; and

WHEREAS, Section 54.001 of the Texas Local Government Code generally provides the maximum penalties for violations of municipal ordinances, rules, or police regulations; and

WHEREAS, Section 418.173 of the Texas Government Code provides that a local emergency management plan may provide that failure to comply with the plan or with a rule, order, or ordinance adopted under the plan is an offense punishable by a fine not to exceed \$1,000 or confinement in jail for a term not to exceed 180 days; and

WHEREAS, the City Council of the City of Bastrop, Texas, finds it reasonable and necessary for the protection of the health and safety of the residents of the City of Bastrop to confirm and ratify the orders issued by the Mayor pursuant to Chapter 418 of the Texas Government Code, as described in **Exhibit A**; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

SECTION 1. FINDINGS OF FACT: The foregoing recitals are incorporated into this Emergency Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. CONFIRMATION & RATIFICATION: The City Council of the City of Bastrop, Texas, in accordance with the authority vested in the governing body of the City of Bastrop, Texas, by Section 418.108 of the Texas Government Code, hereby confirms and ratifies the emergency orders issued by the Mayor in furtherance of the declaration of local disaster, as described in **Exhibit A**.

SECTION 3. PUBLIC NOTICE: The City Secretary is hereby directed to give prompt and general publicity to this Emergency Ordinance.

SECTION 4. CONFLICTS: In the case of any conflict between other provisions of this Emergency Ordinance and any existing Ordinance of the City, the provisions of this Emergency Ordinance will control.

SECTION 5. SEVERABILITY: If any provision of this Emergency Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Emergency Ordinance that can be given effect without the invalid provision.

SECTION 6. ENFORCEMENT: The City shall have the power to administer and enforce the provisions of this Emergency Ordinance as may be required by governing law. Any person violating any provision of this Emergency Ordinance violates Section 1.08.011 of the Bastrop City Code. In accordance with Section 418.173 of the Texas Government Code, a violation is a misdemeanor punishable by a fine not to exceed \$1,000 or confinement in jail for a term not to exceed 180 days. Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

SECTION 7. EFFECTIVE DATE: In accordance with Section 3.15(b) of the Bastrop City Charter, this Emergency Ordinance shall be *effective immediately* upon passage.

SECTION 8. OPEN MEETING: It is hereby 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.

READ, ACKNOWLEDGED & APPROVED on the First & Final Reading on this, the 25th day of May 2021.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Exhibit A



STAFF REPORT

MEETING DATE: May 25, 2021

AGENDA ITEM: 9B

TITLE:

Hold public hearing and consider action to approve the first reading of Ordinance No. 2021-54 of the City Council of the City of Bastrop, Texas adopting amendments to Chapter 8 – Signs, including, Section 8.1.007 Non-conforming Signs, Section 8.1.009 Signs Requiring a Permit, Section 8.1.011 Sign Permit Requirements, Article 8.2 Master Plans, Article 8.3 On-Premises Sign Types & Standards, and Article 8.4 Temporary Signs, and Chapter 10 – Section 10.1.002 Definitions of the Bastrop Building Block B3 Code, as attached in Exhibit A; and providing for findings of fact, adoption, repealer, severability, and enforcement; and establishing an effecting date, and move to include on the June 8, 2021 Consent Agenda.

STAFF REPRESENTATIVE:

Jennifer C. Bills, AICP, LEED AP, Assistant Planning Director

BACKGROUND/HISTORY:

At the January 28, 2021, the Assistant Planning Director provided an update on the Bastrop Building Block (B³) Code and provided specific sections of the Code that need revisions identified during the implementation phase. Chapter 8 – Signs is a part of the code that the business community has provided feedback, especially on the State Highway 71 and State Highway 95 corridors. Attachment 1 contains a summary of the proposed amendments.

PLANNING & ZONING COMMISSION RECOMMENDATION:

Planning & Zoning Commission discussed the proposed amendments at a workshop March 25, 2021 meeting. At the April 29, 2021 regular meeting, the commission reviewed and unanimously recommended approval of the proposed amendments to Chapter 8 – Signs and Chapter 10 Definitions.

RECOMMENDATION:

The Assistant Planning Director recommends holding a public hearing and action to approve the first reading of Ordinance No. 2021-54 of the City Council of the City of Bastrop, Texas amending Chapter 8 – Signs, including, Section 8.1.007 Non-conforming Signs, Section 8.1.009 Signs Requiring a Permit, Section 8.1.011 Sign Permit Requirements, Article 8.2 Master Plans, Article 8.3 On-Premises Sign Types & Standards, and Article 8.4 Temporary Signs, and Chapter 10 – Section 10.1.002 Definitions of the Bastrop Building Block B3 Code, as attached in Exhibit A; and providing for findings of fact, adoption, repealer, severability, and enforcement; and establishing an effecting date, and move to include on the June 8, 2021 Consent Agenda.

ATTACHMENTS:

- Ordinance No. 2021-54
- Exhibit A – Draft Amendments
- Attachment 1 – Summary of Amendments

ORDINANCE 2021-54

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS ADOPTING AMENDMENTS TO CHAPTER 8 – SIGNS, INCLUDING, SECTION 8.1.007 NON-CONFORMING SIGNS, SECTION 8.1.009 SIGNS REQUIRING A PERMIT, SECTION 8.1.011 SIGN PERMIT REQUIREMENTS, ARTICLE 8.2 MASTER PLANS, ARTICLE 8.3 ON-PREMISES SIGN TYPES & STANDARDS, AND ARTICLE 8.4 TEMPORARY SIGNS, AND CHAPTER 10 – SECTION 10.1.002 DEFINITIONS OF THE BASTROP BUILDING BLOCK B3 CODE, AS ATTACHED IN EXHIBIT A; AND PROVIDING FOR FINDINGS OF FACT, ADOPTION, REPEALER, SEVERABILITY, AND ENFORCEMENT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Bastrop, Texas (“City”) is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally-sustainable and environmentally responsible manner that honors the City’s rich heritage and unique ecological makeup; and

WHEREAS, controlled placement of signs could have a positive impact on the businesses and economic development of the City; and

WHEREAS, the uncontrolled placement of signs could have a negative impact on the health, safety, and aesthetics of the City; and

WHEREAS, regulation of signs in the City will substantially promote the City’s interest in preserving the aesthetic beauty of the City while also promoting economic development; and

WHEREAS, the Bastrop Building Block (B³) Code, was adopted on November 12, 2019, which included Chapter 8 - Signs; and

WHEREAS, through implementation of the B³ Code Chapter 8 – Signs, amendments have been identified to improve the regulation of signs; and

WHEREAS, the amendments to the B³ Code, Chapter 8 - Signs was recommended for approval by the Planning and Zoning Commission on April 29, 2021.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

Section 1: Findings of fact

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

Section 2: Adoption and Amendment

The City Council hereby adopts the amendments to the Bastrop Building Block (B3) Code, as attached in Exhibit A.

Section 3: Repealer

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

Section 4: Severability

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

Section 5: Enforcement

The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this ordinance shall be construed as a waiver of the City’s right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

Section 6: Effective Date

This Ordinance shall be effective immediately upon passage and publication.

READ & ACKNOWLEDGED on First Reading on the 25th day of May 2021.

READ & APPROVED on the Second Reading on the 8th day of June 2021.

APPROVED:

by

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

CHAPTER 8: SIGNS



ARTICLE 8.1 SIGNS

SEC. 8.1.001 INTENT

The intent of regulating Signs that are visible from the Public Frontage is to ensure proper dimensioning and placement with respect to existing or planned architectural features, to maintain or improve public safety, to maintain or improve the aesthetic character of the context where they are located, and to provide legible information for pedestrians, not just drivers.

SEC. 8.1.002 PURPOSE

The purpose of a Sign permit is to authorize the display, erection, rebuilding, restructuring, expansion, relocation, or structural Alteration of any on-premise or Off-Premise Sign.

SEC. 8.1.003 APPLICABILITY

These Standards apply to all property within the City Limits and the ETJ of the City of Bastrop as it exists at the time this Code was adopted and as it may be amended and expanded in the future.

SEC. 8.1.004 ENFORCEMENT

- (a) It is an offense for a person to violate, a section of this chapter designated as an offense commits a misdemeanor punishable by a fine. A violation occurs when a person violates or causes, allows, or permits a violation of this chapter.
- (b) Each violation of this chapter designated as an offense constitutes a separate offense.
- (c) No culpable mental state is required to prove an offense under this chapter if this offense involves:
 - (1) Placement of a Sign in the right-of-way;
 - (2) Placement of a Sign in another person's property without the person's permission; or,
 - (3) Placement of a Sign that encumbers access to a person's property or encumbers use of a Street, Sidewalk, trail, Path, or Driveway.
 - (4) Placement of a sign unlawfully situated in a required Sight Triangle.

SEC. 8.1.005 PROHIBITED SIGNS

(a) All Signs are prohibited in the City Limits and the Extraterritorial Jurisdiction (ETJ) unless:

(1) Constructed, maintained, structurally altered, or improved pursuant to a valid permit when required under this Code; and,

(2) Expressly authorized under the City of Bastrop's B³ Code.

(b) Signs that cannot be expressly authorized include:

(1) Signs located in or projected over any public right-of-way or across the public right-of-way line extended across a railroad right-of-way, except when attached to and projecting no more than 18 inches from a Building wall legally located at or near the right-of-way_line in the City Limits or in the ETJ.

(2) Portable Signs.

(3) Off-Premise Sign (including Billboards) containing Commercial advertising for the sale, rent, or lease of goods, real property, or services.

(4) Signs with lights that blink, fluctuate, or move. Light rays must shine only upon the Sign and upon the property within the Premises where the Sign is located.

(5) Signs of a size, location, movement, coloring, or manner of illuminating that may be confused with or construed as a traffic control device.

(6) Signs that are attached to any utility pole or wire, traffic Sign, or public easement or are placed on government-owned property unless placed by written permission of the governmental entity.

(7) Signs that obstruct any fire escape, required exit, window, or door opening intended as a means of egress.

(8) Boxes, tires, or other goods stored in view of the Street, etc. that have large product identification that serves as a Sign.

(9) Feather Banners.

(10) Commercial Signs or advertising materials that are worn, held, or attached to a person's body advertising the sale of goods, real property, or services.

(11) Balloon Signs.

(12) Inflatable Signs.

~~(13) Banners.~~

~~(14)~~(13) Pennants.

~~(15)~~(14) Pole Signs other than along Hwy. 71.

~~(16)~~(15) Roof Signs (including Signs that are otherwise authorized but are placed on a roof or on a Mobile Food Vendor or vehicle).

~~(17)~~(16) Signs placed or attached to trees, bushes, planters, benches, or other Pedestrian elements.

~~(18)~~(17) Signs on trash receptacles except for Signs that are required by law, provide direction on the trash receptacle's use, provide safety instructions, or are otherwise customarily found on trash receptacles as a means of identifying the trash collection company.

~~(19)~~(18) Flags with a Commercial message.

SEC. 8.1.006 OFF-PREMISE SIGNS (BILLBOARDS)

(a) No permit for Alteration or relocation may be issued for an off-Premises Signs.

(b) Alteration. An off-Premises Sign may not be altered regarding amount of surface area, shape, orientation,

Height, illumination, or location without the prior issuance of a Sign Alteration or relocation permit. Ordinary and routine necessary repairs that do not change the size, shape, orientation, Height, illumination, or location of an inventoried off-Premises Sign do not require an Alteration permit. A Sign Alteration permit expires if the approved modifications are not completed within 90 days of permit issuance.

(c) Maintenance. If the City finds that any off-Premises Sign is not maintained in good repair, the City will notify and order the owner to repair the Sign within 30 calendar days. If the City finds that the Sign Structure or Sign area of an off-Premises Sign has deteriorated more than 60% of its replacement value or is not repaired within 30 calendar days, the City shall notify the owner of the off-Premises Sign and the owner of the real property where the off-Premises Sign is located to remove the off-Premises Sign or poster panel from the property within a specified time. Replacement of more than 60% of an off-Premises Sign during one calendar year shall void the legal nonconforming status of the Sign and require immediate Removal or conformance with current Standards. All off-Premises Signs ordered to be removed shall be stricken from the authorized list.

(d) No existing billboard shall exceed 40 feet in Height from the ground level. No existing billboard shall interfere with the visibility of pedestrians or drivers of motor vehicles at Street intersections or otherwise obstruct traffic or create a traffic hazard.

SEC. 8.1.007 NONCONFORMING SIGNS

(a) Signs in Existence Prior to this Code. A Sign existing on the effective date of the Development Code that violates this Article or any other ordinance, and a Sign that comes under the jurisdiction of this Chapter due to the expansion of the City, is a legal Nonconforming Sign and may be continued, repaired, and maintained in good condition, but may not be otherwise altered.

(b) Voluntary Removal. Voluntary Removal of a Nonconforming Sign for purposes other than maintenance shall terminate its status as a legal Nonconforming Sign. Replacing a Sign cabinet is not considered maintenance.

(c) Existing Electronic Message Signs must meet the following standards:

(1) Illumination:

- A. No sign shall be brighter than is necessary for clear and adequate visibility.
- B. No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver or to otherwise interfere with the driver's operation of a motor vehicle.

C. No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic-control sign, device or signal.

D. All signs must be equipped with a mechanism that automatically adjusts the brightness of the display in response to ambient conditions, such that the display is automatically dimmed as ambient light levels decrease.

E. The illumination of a sign at full brightness shall not exceed 0.3 footcandles above the footcandle level with the sign turned off when both measurements are taken perpendicular to the sign at a distance determined by the following formula: measurement distance = square root of area of sign in square feet x 100.

F. All signs shall contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions.

(2) Changing Message:

A. Any change of pictures or information on the sign shall not produce the illusion of scrolling, moving objects, expanding or contracting shapes, rotation, or any similar effect of animation.

B. Any change of pictures or information on the sign shall not change more often than once every eight (8) seconds except for message display of time or temperature. Each change of pictures or information must constitute a complete phrase or thought and not be the completion of a previous phrase or thought. Each change of pictures or information must be completed in two (2) seconds or less and may not include visually distracting techniques such as flashing, racing, strobing, twinkling, animation, etc.

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SEC. 8.1.008 EXEMPTED SIGNS

(a) The following Signs authorized under this Section are authorized in every Place Type or property in the ETJ without a permit, unless specifically required below:

- (1) Government Signs including Signs placed by the City, state, or federal government governing in their official capacity.
- (2) Traffic control devices that are erected and maintained to comply with the Texas Manual on Uniform Traffic Control Devices.
- (3) Signs required by this section.
- (4) Signs required by other law, including federal, state, or local law, including a Sign that a property owner is required to post on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically; the owner must comply with the federal, state, or local law to post a Sign on the property.
- (5) Official governmental notices and notices posted by governmental officers in the performance of their duties for regulatory purposes such as neighborhood crime watch areas, to identify Streets, or to warn of danger including those placed by the City, County, federal or state.

(6) Signs displayed on trucks, buses, trailers, mobile food vendors, or other vehicles that are less than 32 square feet and are being operated as motor vehicles, provided that the primary purpose of the vehicles is not for display of Signs and provided that they are parked in areas appropriate to their use as vehicles, are in operable condition, and carry a current and valid license plate and state inspection tag. Vehicle Signs shall conform to the following restrictions:

- A. Vehicular Signs shall contain no flashing or moving elements;
- B. Vehicular Signs shall not be attached to a vehicle so that the driver's vision is obstructed from any angle; and,
- C. Signs, lights and signals used by authorized emergency vehicles shall not be restricted.

(7) Vending Machine Signs where the Sign Face is not larger than the normal dimensions of the machine to that the Sign is attached.

(8) Memorial Signs or tablets when cut into any masonry surface or attached to a Building when constructed of

bronze or other metal up to 6 square feet as part of a Building.

(9) Real Estate Signs.

- A. Signs containing the message that the real estate where the Sign is located is for sale, lease, or rent together with information identifying the owner or agent.
- B. A real estate Sign may not exceed 4 square feet in size for Residential properties or 16 square feet in size for Nonresidential properties.

(10) Any Sign wholly within the confines of a Building and oriented to be out of view from outside the Building.

(11) Any Sign ~~who~~-wholly within the confines of a sports field or court and oriented to be out of view from outside the field or court. No Sign under this section may be larger than 32 square feet. The maximum Height for a field Sign shall not exceed 6 feet.

(12) A non-Commercial Sign that is carried by a person or is a bumper sticker on a vehicle.

(13) Business-related Signs on or visible through doors or windows indicating: store hours, security systems, trade organization memberships, credit cards accepted, no solicitation, and open/closed. These Signs will not count towards the cumulative Sign area limits so long as their total cumulative Sign area does not exceed 5 square feet.

(14) Changing a Commercial message to a noncommercial message on any legal Sign surface. Any Sign surface where a Commercial message may contain a noncommercial message.

SEC. 8.1.009 SIGNS REQUIRING A PERMIT

(a) Building Signs:

A Building Sign is an on-Premises Sign that is directly attached to, erected on, or supported by a Building or other Structure having a principal function other than the support of such Sign.

(1) Building Signs Types:

~~A.~~ Address Sign

~~B.~~A. Awning Sign

~~C.~~B. Band Sign

~~D.~~C. Blade Sign

~~E.~~D. Marquee Sign

~~F.~~E. Nameplate Sign

~~G.~~F. Outdoor Display Case Sign

~~H.~~G. Window Sign

(2) General Requirements:

- A. Size. The maximum size of the sum of the area of all Building Signs may not exceed 15% of the Facade area of the tallest floor.
- B. Number. More than one Building Sign may be erected, provided the total surface area allowed is not exceeded.
- C. Height. No Building Sign may extend above the parapet wall or roof line of the Building.
- D. Projection / Clearance. With the exception of a blade Sign, no Building Sign may project more than ~~7~~6 inches from the Building wall. All Signs that project more than ~~6~~7 inches from the wall must maintain a clear Height of 8 feet above the ground.

E. Illumination. Building Signs may only be externally illuminated, except for Band Signs in the SH 71, SH 95 or Loop 150 Corridors. No Sign may be illuminated except during operating hours of the use with which it is associated. Lighting shall be directly directed down toward the Sign and shielded so that it does not shine directly into a public right-of-way and does not interfere with the safe vision of motorists or people passing by. All Standards must meet the ~~the~~ Lighting Standards within this Code. Internal illumination shall not operate at brightness levels of more than 0.2 foot-candles above ambient light conditions at the property line, as measured using a foot-candle meter. The total lumen output of all signs cannot exceed 10% of the total lumen allowance in Section 6.6 – Outdoor Lighting.

~~E.~~

(b) Freestanding Signs:

A Freestanding Sign is an on-Premises Sign not directly attached to, erected on, or supported by a Building or other Structure having a principal function other than the support of such Sign, but instead attached to, erected on, or supported by some Structure such as a pole, frame, or other Structure that is not a part of the Building.

(1) Small Freestanding Signs Types:

A. Sidewalk Sign

B. Yard Sign

~~B.C.~~ Directional Sign

(2) General Requirements:

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A. Size. Allocation of Sign area is based on the linear Frontage of the Project Site. A maximum Sign area of 1 square foot for each 2 linear feet of Frontage, provided that the maximum surface area does not exceed 16 square feet.

B. Number. One Freestanding-Sidewalk Sign or Yard Sign is allowed on any Lot. If a Master Sign Plan is approved, two Freestanding Signs may be allowed on a Lot or Project having a minimum Frontage of 300 feet. Directional Signs cannot exceed the number of driveways

C. Illumination. Small Freestanding Signs may only be externally illuminated. Lighting shall be directly directed down toward the Sign and shielded so that it does not shine directly into a public right-of-way and does not interfere with the safe vision of motorists or people passing by. All Standards must meet the City's Code.

(3) Large Freestanding Sign Types:

A. Monument Sign,

B. and Pylon/Pole Signs:

(4) General Requirements:

A. Size: Cannot have a ratio of less than 4:1 sign width to narrowest width of support structure. Must follow

standards in Article 8.3.

B. Number. One Sign per street frontage of a lot.

C. Illumination: Large Freestanding Signs may only be externally illuminated unless approved by Warrant or located within the SH 71/SH 95/Loop 150 Corridors.

i. External lighting shall be directly directed down toward the Sign and shielded so that it does not shine directly into a public right-of-way and does not interfere with the safe vision of motorists or people passing by. All Standards must meet the City's Code.

ii. Internal illumination shall not operate at brightness levels of more than 0.2 foot-candles above ambient light conditions at the property line, as measured using a foot-candle meter. The total lumen output of all signs cannot exceed 10% of the total lumen allowance in Section 6.6 – Outdoor Lighting.

D. Locations for Sign Corridors:

i. SH 71 Corridor. The area located 720 feet from the centerline of the adjacent main lane of State Highway 71.

ii. SH 95 Corridor. The area located 330 feet from the centerline of the lane of State Highway 95.

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iii. Loop 150 Corridor. The area located 330 feet from the centerline of Loop 150, south of the Colorado River.

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~~(c)iv.~~ All Signs must be located within 25 feet of the property line.

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~~A Freestanding Sign with single or multiple tenants, no more than 35 feet in Height, and having a ratio of less than 4:1 Sign width to narrowest width of support structure.~~

(c) Incidental Sign

Signs that are intended for the convenience of the public, which are informational only, and which do not include the advertising of products or services. Such signs include business hours signs, credit card signs, entrance and exit signs, and similar signs, some of which may be required by law for safety purposes.

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(1) General Requirements:

A. Size. Sign area cannot exceed 12 square feet.

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B. Number. No limit. Incidental signage on buildings will count toward 15% area total.

C. Cannot be illuminated.

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~~SEC. 8.1.010 ON-PREMISES FREESTANDING SIGNS (MONUMENT SIGN)(RESERVED)~~

~~(a) Allowed Signs and Standards. Permanent on-Premises Freestanding Signs are subject to the following Standards:~~

~~(1) The number of these Signs on a Premises is limited to one per Street frontage. The following are not counted in this limitation:~~

~~A. Directional Signs up to 12 square feet in area, provided the number of these Signs does not exceed the number of driveways; and~~

~~(b) Maximum Height~~

~~(1) The maximum Height of any on-Premises Signs shall not exceed the following:~~

~~A. 35 feet along all Thoroughfares within P5 Place Types.~~

~~(c) Maximum Sign Area.~~

~~(1) A Signs Height to width ratio may not exceed 4:1.~~

SEC. 8.1.011 SIGN PERMIT REQUIREMENTS

(a) Applications for a Sign permit must be processed through the City pursuant to this Code.

(b) Requirements. Except as otherwise provided for herein, no Sign shall be erected, posted, painted, or otherwise produced, changed, or reconstructed, in whole or in part, within the City Limits and ETJ of the City without first obtaining a permit.

(c) Applications: Application for a permit required by this Code shall be made upon forms provided by the City. The Application for Sign permits shall contain all information, drawings, and specifications necessary to fully advise the City of the type, size, shape, location, Place Type Zoning District, if within City Limits, Construction, and materials (if in Historic District) of the proposed Sign, and the Building Structure or Premises where it is to be placed. Drawings shall also show all existing Signs on the property. An Application is not considered complete until all necessary information listed in this Code are provided with the Application.

(d) Application for permit. An application for a Sign permit must be Filed with the City. An Application for any Sign must state the date when the owner intends to erect the Sign.

(e) All Applicants must provide sufficient proof, to be determined by the City, showing a real property ownership interest in the property where the Sign will be

located or sufficient proof of authorization from the real property owner for Sign placement on the property.

(f) An Application shall include:

- (1) Name, address, and telephone number of the owner of the Sign;
- (2) Name, address, and telephone of lessor sponsoring the Sign, if any;
- (3) Name, address, and telephone number of the contractor, if any, installing the Sign;
- (4) Name, address, and telephone number of the property where the Sign is to be installed;
- (5) Date when it is to be installed;
- (6) Place Type Zoning District, if in the City Limits, where the proposed Sign will be located;
- (7) Any Warrant that will be requested or has been approved; and,
- (8) An illustration or photograph including the location, appearance, and dimensions of the proposed Sign.

(9) An illustration or photograph of the position of the Sign on a Building or on the ground in plain view, drawn to scale, and Elevation views, drawn to scale.

(10) If required by the City, a copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure in any direction and in any amount required by this chapter or by the Building Code or other laws adopted by the City.

(11) An application is not considered complete unless all the above information is provided with the Application.

(g) The City shall promptly process the Sign permit Application and approve the Application, reject the Application, or notify the Applicant of deficiencies in the Application within 21 calendar days after receipt. Any Application that complies with all provisions of this Code, the Building Code, and other applicable laws, Standards, and ordinances shall be approved after inspection and approval of the plans and the Site.

(1) If the Application is rejected, the City shall provide in writing a list of the reasons for the rejection. An application shall be rejected for non-compliance with the terms of this Code, Building Code, B³ Technical

Manual or other applicable law, Standards, or ordinance. If the permit Application does not comply with the City ordinances after resubmission and review by City and no variances have been applied for, the Applicant must pay a reapplication fee before the City will review the Application again.

(2) ~~If no action is taken by the City within 21 calendar days after receipt, the City shall not collect a fee for the Sign permit Application. The City then shall approve or reject the Application as soon as practical after the 21-day deadline. A new 21-day deadline begins at each submission. However, if~~ the City has not approved or rejected the permit within 45 calendar days after the completed Application is Filed, the Applicant ~~can~~ may file a complaint to the ZBA as if the permit had been denied.

(h) Duration and revocation of permit. If a Sign is not completely installed within 6 months following the issuance of a Sign permit, the permit shall be void. The City may revoke a Sign permit under any of the following circumstances:

(1) The City determines that information in the Application was materially false or misleading;

- (2) The Sign as installed does not conform to the Sign permit Application;
- (3) The Sign violates this Code, Building Code, B³ Technical Manual, or other applicable law, standard, or ordinance; or
- (4) The City determines that the Sign is not being properly maintained or has been abandoned.

~~(i) Warrants. Items listed as available for approval with a Warrant shall be applied for prior to submitting the sign application. The Warrant will be reviewed and approved by the Sign Administrator.~~

~~(j) Appeals. If the City denies a permit, the Applicant may Appeal to the Zoning Board of Adjustment through Warrant granted by the Planning & Zoning Commission.~~

~~(k) All applications for permits shall include a drawing to scale of the proposed Sign and all existing Signs maintained on the Premises and visible from the right-of-way, a drawing of the Lot plan or Building Facade indicating the proposed location of the Sign, and specifications for its Construction, Lighting, motion, and wiring, if any. All drawings shall be of sufficient clarity to show the extent of the work.~~

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~~(k)~~ Qualifications. Only those individuals who properly obtained a permit by the City, the City's designee, or other statutorily required permit or approval shall receive a permit to erect or alter any Sign. Permits for the

installation, erection, or Alteration of any electrical components on a Sign shall be issued only to those individuals who hold a Commercial Sign operator's license and master electrician's license. It is an offense for any person licensed under the provisions of this Code to obtain a permit on behalf of, or for the benefit of, any unlicensed person whose Business activities are such that such unlicensed person would need a license to obtain a permit.

(l) Conditions for issuing permits. No permit for the erection or Alteration of any Sign over any Sidewalk, Alley, or other public property, or on or over any roof or Building shall be issued to any person except upon the condition that the permit may be withdrawn at any time, at which time the Sign shall be immediately removed by the Responsible Party, who will also be liable under the penalties provided for in this Code.

(m) Issuance. A new permit shall not be issued when:

(1) An existing billboard (Off-Premises) Sign is in a deteriorated, unsafe, or unsightly condition.

(2) A Sign on the Premises is not in compliance with this Code.

(3) Authorization of the property owner where the Sign is to be placed has not been obtained.

(4) Inspection. Any Sign that a permit is issued shall be inspected after its erection for conformity to the provisions of this Code.

(5) Fees. No permit shall be issued until applicable fees have been paid to the City. Fees may be subject to change without prior notification. The Sign permit fee schedule shall be in accordance with the fee schedule enacted by the City Council and located at City Hall.

(6) Before any permit may be issued for a new Sign under this chapter, the Responsible Party shall modify or remove any of its own nonconforming Signs and Sign structures displayed or erected on the same property that the permit is being sought, so that all the Signs and Sign structures they are responsible for on the property conform to the provisions of this chapter. This provision does not apply to real estate Signs, banners, temporary Signs, or Sidewalk Signs. This provision does not apply to nonconforming Signs with a Variance.

ARTICLE 8.2 MASTER SIGN PLANS

(a) A Master Sign Plan is a comprehensive document containing specific regulations for an entire Project's Signs. Master Sign Plans are appropriate for Planned Development Districts, Master Planned Developments, development agreements or in the case where a Project applicant is seeking several variances to the Signs Chapter of the B³ Code. ~~Master Sign Plans may be submitted with Zoning Concept Schemes or Neighborhood Regulating Plans.~~

(1) Master Sign Plans for areas with a multi-unit complex are highly encouraged to meet the unique needs of each multi-unit complex.

~~(2) All owners, tenants, subtenants and purchasers of individual units within the Development shall comply with the approved Master Sign Plan.~~

~~(3) Master Sign Plans are not appropriate for a single tenant to increase the amount or size of signage.~~

~~(4) A change in Sign Types cannot be approved if not allowed in the base Place Type District for the site.~~

~~(2)(5) Cannot include changes to non-conforming signs.~~

SEC. 8.2.001 APPROVAL OF MASTER SIGN PLANS

(a) A Responsible Party that seeks approval of a Master Sign Plan must file a request for a Master Sign Plan with the Sign Administrator along with a Sign permit fee, as stated

in the City's most recent fee schedule. The Sign Administrator will indicate what documentation the Responsible Party must provide in support of the request.

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- (b) Once the necessary documentation has been provided to the Sign Administrator, the Sign Administrator may administratively deny or approve the Master Sign Plan, with or without conditions.
- (c) The Sign Administrator may determine to present the Master Sign Plan to the City Council for approval or denial in lieu of Administrative Approval.
- (d) If the Responsible Party disagrees with a decision of the Sign Administrator to deny a Master Sign Plan, or disagrees with the conditions placed on a Master Sign Plan by the Sign Administrator, the Responsible Party may submit a written request that the City Council review the Master Sign Plan request, the supporting documents, and the Sign Administrator's decision. The City Council can affirm, reverse, or modify the decision of the Sign Administrator.
- (e) The City Council has final authority to approve a Master Sign Plan or conditions on a Master Sign Plan.
- (f) A Master Sign Plan ordinance can modify Variance procedures for its specific property.

SEC. 8.2.002 PROCEDURE FOR VARIANCES TO MASTER SIGN PLANS

(a) A Responsible Party that wants a Variance from a Master Sign Plan adopted under this chapter must file a request for Variance with the Sign Administrator along with a Variance fee, as stated in the City's most recent fee schedule. The Sign Administrator will indicate what documentation the Responsible Party must provide in support of the request.

(b) Once the necessary documentation has been provided to the Sign Administrator, the Sign Administrator may administratively deny or approve a Variance, with or without conditions, from an adopted Master Sign Plan if the change is related to:

- (1) Change the location of the Sign within the area designated by the Master Sign Plan;
- (2) Change the location of the Sign within the right-of-way or into the right-of-way so long as a license agreement is presented and approved by the Sign Administrator;
- (3) Change illumination of the Sign so long as the illumination complies with Section 6.5.004 - Outdoor Lighting;

(4) Change of Sign Face so long as the size of the Sign Face is not increased;

(5) Change in number of panels or size of panels on a Monument Sign so long as total size of Sign Face is not increased; or

(6) Change in letter size or line number so long as total size of Sign Face is not increased.

(c) Administrative Approval is not allowed and Variance procedures in Section 8.2.003 - Variances - shall be followed if:

(1) Additional Signs are requested;

(2) Increase in the size of the Sign is requested;

(3) Change in Sign type is requested;

(4) Increase in the Height of the Sign is requested; or

(5) The Sign Administrator determines the Variance request shall be reviewed in the regular Variance process.

- (d) If the Responsible Party disagrees with a decision of the Sign Administrator to deny a Variance request, or disagrees with the conditions placed on a grant of a Variance by the Sign Administrator, the Responsible Party may submit a written request that the ZBA review the Variance request, the supporting documents, and the Sign Administrator's decision. The ZBA can affirm, reverse, or modify the decision of the Sign Administrator.
- (e) The ZBA has final authority to approve a Variance or conditions on a Variance.
- (f) A Master Sign Plan ordinance can modify Variance procedures for its specific property.

SEC. 8.2.003 VARIANCES

- (a) A Responsible Party that wants a Variance from the Sign Chapter of the B³ Code must file a request for Variance with the Sign Administrator along with a Variance application fee, as stated in the City's most recent fee schedule. The Sign Administrator will indicate what documentation the Responsible Party must provide in support of the request.
- (b) Once the complete and necessary documentation has been provided to the Sign Administrator, the Sign Administrator shall review the request and make a

determination based on the documentation provided by the Responsible Party.

- (c) The Sign Administrator may, in specific cases and subject to appropriate conditions, and only after a finding based on the evidence presented that strict compliance with the requirements of this Chapter will result in substantial undue hardship, sufficient mitigation, or inequity to the applicant without sufficient corresponding benefit to the City and its citizens in accomplishing the objectives of this Chapter:
 - (1) Permit a Variance for a noncommercial or Commercial Sign of the Setback, effective area, size of internal components of a Sign so long as total size of Sign Face is compliant, or Height requirements of this Chapter;
 - (2) Authorize one additional Sign on Premises more than the number permitted by this Chapter; or
 - (3) Approve an increase in Height up to four (4) feet.
- (d) Other requests for variances shall be forwarded to the ZBA. The ZBA may decide, subject to appropriate conditions, and only after a finding based on the evidence presented that strict compliance with the

requirements of this Code will result in substantial undue hardship, sufficient mitigation, or inequity to the applicant without sufficient corresponding benefit to the City and its citizens in accomplishing the objectives of this Chapter.

The Sign Administrator and ZBA shall consider:

- (1) Special or unique hardship because of the size or shape of the property on which the Sign is to be located, or the visibility of the property from public roads.
 - (2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a Sign is to be located.
 - (3) Proposed Sign location, configuration, design, materials and colors are harmonious.
 - (4) The Sign and its supporting structure is in architectural harmony with the surrounding Structures.
 - (5) Mitigation measures related to the Sign in question or other Signs on the same Premises.
- (6) Demonstrated and documented correlation between the Variance and protecting the public health and safety.
 - (7) Whether the Sign could have been included in a Master Sign Plan. Master Sign plans are highly encouraged. The City will be more inclined to favorably consider a Variance request when the Variance is part of a Master Sign Plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the Sign for which a Variance is sought could have been included in a Master Sign Plan and considered in the course of a comprehensive review of the entire Project's signage.
 - (8) The Sign Administrator may authorize the remodeling, renovation, or alteration of a Sign when some nonconforming aspect of the Sign is thereby reduced.
- (f) Where a permit was required for a Sign's erection according to the law in effect at the time the Sign was erected and where the Sign Administrator finds no record of a permit being issued, the Sign Administrator may authorize the issuance of a replacement permit when, from the evidence presented, the Sign Administrator finds either that a permit was issued or that arrangements were made with a sign company to obtain such permit.

(g) If a Variance applicant wishes to appeal the decision of the Sign Administrator, the applicant shall file for an appeal with the ZBA within 10 days of receipt of the Sign Administrator's decision. The ZBA shall consider the appeal at its next regular meeting or as soon as practicable. The ZBA shall either:


- (1) Approve, reject, or approve upon condition the Variance Application, if any, at its meeting;
- (2) Postpone its decision on the request of the applicant;
or,
- (3) Postpone its decision to its next regular meeting for good cause based on need for further review by the board of adjustment. Upon approval by the board of adjustment, the Sign permit and variances, if any, the permit shall be issued by the city administrator or the administrator's designee.

SEC. 8.2.004 CONDITIONS

(a) The Sign Administrator or ZBA may impose conditions upon the granting of a Variance under this chapter. Such conditions must be related to the Variance sought and be generally intended to mitigate the adverse effects of the Sign on neighboring tracts and the general aesthetic ambiance of the community. A non-exhaustive list of


examples of conditions include increased setbacks, added vegetation, muted colors, and decreased Lighting. The ZBA may condition Sign variances on the Responsible Party bringing other existing, nonconforming Signs into compliance with current regulations. A Responsible Party's failure to comply with conditions placed on a Variance may result in the ZBA voiding the Variance and authorizing all available code enforcement actions and other remedies available in equity or at law.

ARTICLE 8.3 ON-PREMISE SIGN TYPES & STANDARDS

	PLACE TYPES	P2	P3	P4	P5	SPECIFICATIONS
ADDRESS SIGN		P	P	P	P	<ul style="list-style-type: none"> a. Quantity: 1 per Address max. b. Area: 2 sf max. c. Width: 24 in max. d. Height: 12 in max. e. Depth / Projection: 3 in max. f. Clearance: 4.5 ft min. g. Letter Height: 6" max.
DESCRIPTION	Address Signs shall be made easily visible through the use of colors or materials that contrast with their background and shall be attached to the Facade or Principal Entrance of the unit they identify.					
SIGN DETAILS	<ul style="list-style-type: none"> i. Address Sign numerals applied to a House-form Residential, Commercial, or office buildings shall be between 4 and 6 inches tall. Address Sign numerals applied to individual Dwelling units in apartment buildings shall be at least 2 inches tall. ii. Address Signs shall be easily visible by using colors or materials that contrast with their background. iii. Address Signs shall be constructed of durable materials. iv. The address Sign shall be attached to the front of the Building in proximity to the Principal Entrance or at a mailbox. 					

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b)

	PLACE TYPES	P2	P3	P4	P5	SPECIFICATIONS
AWNINGS & SIGNS				P	P	<ul style="list-style-type: none"> a. Quantity: 1 per <u>window-awning section</u> max. b. Area: n/a c. Width: width of face max. d. Height: n/a e. Depth / Projection: 4 ft min. f. Clearance: 8 ft min. g. Letter Height: 5 in min., 10 in max. h. Valance Height: 12 in max. i. Distance from Curb: 2 ft min.

DESCRIPTION
 Awning Signage shall be limited to no more than 70% of the ~~the~~ Valance of the awning or the vertical portion of a dome awning. The Height of the Valance shall not exceed 12 inches. For a flat roof awning, Awning Signage can extend 12 inches above the top of the awning. Awning Signs shall contain only the Business name, Logo, and/or Street address.

- SIGN DETAILS
- i. The following variations of awnings, with or without Sign Bands, are permitted: (1) Fixed or retractable awnings; (2) Shed awnings; (3) Dome awnings; 4) Flat roof awnings.
 - ii. Other awning types may be permitted by Warrant.
 - iii. Signage shall be limited to the Valance of the awning, ~~or~~ the vertical portion of a dome awning, or along the front edge of a flat roof awning.
 - iv. No portion of an awning shall be lower than 8 feet Clearance.
 - v. Awnings shall be a minimum of 4 feet in depth.
 - vi. Awnings shall not extend beyond the width of the Building or tenant space, nor encroach above the roof line or the Story above.
 - vii. The Height of the Valance shall not exceed 12 inches.
 - viii. Awning Signs shall contain only the Business name, Logo, and/or Street address.
 - ix. Letters, numbers, and graphics shall cover no more than 70% of the Valance area or 70% of the width of a flat roof awning.
 - x. Awning Signs shall not be internally illuminated or backlit.

b)

PLACE TYPES

P2

P3

P4

P5

SPECIFICATIONS

BAND SIGNS



P

P

- a. **Quantity:** 1 max. (1 per street facade² for corner buildings)
- b. **Area:** 1.5 sf per linear ft Facade
- c. **Width:** 90% max. width of Facade
- d. **Height:** 3 ft max.
- e. **Depth / Projection:** 7 in max.
- f. **Clearance:** 7.8 ft min.
- g. **Apex:** n/a
- h. **Letter Height:** 18 in max.

DESCRIPTION

1 Band Sign limited to 90% of the width of the Building Facade shall be permitted for each Building with a Commercial Use. Information shall consist only of the name and/or Logo of the Business.

SIGN DETAILS

- i. All businesses are permitted 1 Band Sign on each first Story Facade.
- ii. Band Signs shall include only letters, background, Lighting, and an optional Logo. Information shall consist only of the name and/or Logo of the Business. Band Signs shall not list products, sales, or other promotional messages, or contact information.
- iii. The following Band Sign Construction types are permitted: Cut-out Letters. Letters shall be individually attached to the wall or on a separate background panel, and shall be externally illuminated.
 - (1) Flat Panel. Letters shall be printed or etched on same surface as the background, that is then affixed to the wall and externally illuminated.
 - (2) Channel Letters by Warrant. Each letter shall have its own internal Lighting element, individually attached to the wall or onto a separate background panel. ~~The letter shall be translucent, or solid to create a backlit halo effect.~~

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d)c)

PLACE TYPES

P2

P3

P4

P5

SPECIFICATIONS



BAND SIGNS
- SH 71, SH
95, Loop 150
Sign
Corridors

- a. ~~Quantity: 1 max. (2 for corner buildings)~~
- b-a. ~~Area: 15% of tallest floor facade. (located on street facades) 1.5 sf per linear ft Facade~~
- e-b. ~~Width: 90% max. width of Facade~~
- d-c. ~~Height: 90% height of wall sign area. Over 4 feet, see iv, 3 ft max.~~
- e. ~~Depth / Projection: 7 in max.~~
- i. ~~Clearance: 87 ft min.~~
- j. ~~Apex: n/a~~
- k-j. ~~Letter Height: 18 in max.~~

DESCRIPTION

4 Band Signs limited to 90% of the width of the Building Facade shall be permitted for each Building with a Commercial Use. Information shall consist only of the name and/or Logo of the Business.

SIGN DETAILS

- iv-i. ~~All businesses are permitted 4 Band Signs on each street facing each first Story Facade. Businesses with no street frontage are allowed Band Signs on the facade with the primary entrance.~~
- iv-ii. ~~Band Signs shall include only letters, background, Lighting, and an optional Logo. Information shall consist only of the name and/or Logo of the Business. Band Signs shall not list products, sales, or other promotional messages, or contact information.~~
- iv-iii. ~~The following Band Sign Construction types are permitted: Cut out Letters. Letters shall be individually attached to the wall or on a separate background panel, and shall be externally illuminated.~~
 - (1) Flat Panel. Letters shall be printed or etched on same surface as the background, that is then affixed to the wall and externally illuminated.
 - (4) ~~Channel Letters by Warrant. Each letter shall have either 1.) its own internal Lighting element, individually attached to the wall or onto a separate background panel; or 2.) The raceway must be mounted to not be visible. The letter shall be translucent, or solid to create a backlit halo effect.~~
- iv. ~~For band signs that exceed 4 feet, sites cannot have a pylon or pole sign and monument signs are limited to 8 feet in height.~~

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d)

	PLACE TYPES	P2	P3	P4	P5	SPECIFICATIONS
BLADE SIGNS				P	P	<ul style="list-style-type: none"> a. Quantity: 1 per Facade max. 2 max. b. Area: 4 sf max. In P2, P3 & 6 sf max. in P4, P5 c. Width: 4 ft max. d. Height: 4 ft max. e. Depth / Projection: 4 ft max. f. Clearance: 8 ft min. g. Apex: n/a h. Letter Height: 8 in max.
DESCRIPTION	Blade Signs shall be permitted only for businesses that have a Principal Entrance on the first Story. One Blade Sign shall be permitted for each Business if the Facade is no more than 5 feet from the Principal Frontage Line. Blade Signs may encroach into the Public Frontage up to 4 feet, shall clear the Sidewalk by at least 8 feet, and shall not encroach above the bottom of any second Story windows. Blade Signs shall be limited to the name and/or Logo of the Business.					
SIGN DETAILS	<ul style="list-style-type: none"> i. Blade Signs may be double-sided. ii. Blade Signs shall be permitted only for businesses that have a Principal Entrance on the first Story. iii. Businesses shall be permitted 1 Blade Sign where its Principal Frontage Lin is no more than 5 feet from the Facade. Businesses that have a Secondary Frontage line that is no more than 2 feet from the Facade shall be permitted 1 additional blade Sign on that Facade. iv. Blade Signs may encroach into the Public Frontage up to 4 feet and shall clear the Sidewalk by at least 8 feet. v. Blade Signs shall not encroach above the roof line nor above the bottom of the second Story window. vi. Text and graphics on the Blade Sign shall be limited to the name and/or Logo of the Business. Slogans, address labels, operating hours and contact information shall not be permitted. vii. Mounting hardware, such as supports and brackets, may be simple and unobtrusive or highly decorative, but shall complement the design of the Sign, the Building, or both. viii. For buildings with multiple Signs, mounting hardware or Sign shapes, sizes and colors shall be Coordinated. 					


e)

	PLACE TYPES	P2	P3	P4	P5	SPECIFICATIONS
MARQUEE SIGNS					P	<ul style="list-style-type: none"> a. Quantity: 1 per Business max. b. Area: n/a c. Width: entrance plus 2 ft each side d. Height: 50% Story Height max. e. Depth / Projection: 4 ft min.; 10 ft max. f. Clearance: 10 ft min g. Apex: n/a h. Letter Height: n/a i. Distance from Curb: 3 ft min.
DESCRIPTION	Marquees shall be located only above the Principal Entrance of a Building, shall provide a minimum clearance of 10 feet, and may Encroach the Public Frontage to within 2 feet of the Curb. Message Boards shall be permitted as part of Marquees.					
SIGN DETAILS	<ul style="list-style-type: none"> i. Marquees shall be located only above the Principal Entrance of a Building. ii. No Marquee shall be wider than the entrance it serves, plus 2 feet on each side thereof. iii. No portion of a Marquee shall be lower than 10 feet Clearance. iv. No Marquee shall extend closer to the Curb than 3 feet. v. Columns or posts may be used as supports for Marquees 8 feet deep or deeper if approved by the DRC. vi. All Marquees, including anchors, bolts, supporting rods, and braces, shall be constructed of non-combustible materials and shall be designed by a structural engineer submitted for approval to the Building Official. vii. Marquee components and materials may vary. Anchors, bolts, and supporting rods should be limited to the interior of the Marquee. viii. Message Boards shall be permitted as part of Marquees. ix. A Band Sign shall be permitted above a Marquee. 					

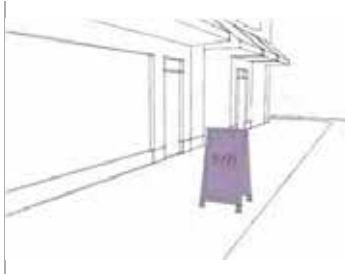
f)


	PLACE TYPES	P2	P3	P4	P5	SPECIFICATIONS
NAMEPLATE SIGNS				P	P	<ul style="list-style-type: none"> a. Quantity: 1 max. b. Area: 3 sf max. c. Width: 18 in max. d. Height: 2 ft max. e. Depth / Projection: 3 in max. f. Clearance: 4 ft min. g. Apex: 7 ft max. h. Letter Height: n/a
DESCRIPTION	1 Nameplate per address limited to 3 square feet may be attached to a Building wall within 10 feet of a Principal Entrance.					
SIGN DETAILS	<ul style="list-style-type: none"> i. Nameplates shall consist of either a panel or individual letters applied to a Building wall within 10 feet of an entrance to the Building. ii. One Nameplate shall be permitted per address. iii. Nameplates shall not exceed 3 square feet. iv. Nameplates shall be constructed of durable materials. 					

g)

	PLACE TYPES	P2	P3	P4	P5	SPECIFICATIONS
OUTDOOR DISPLAY CASE				P	P	<ul style="list-style-type: none"> a. Quantity: 1 max. b. Area: 6 sf max. c. Width: 3.5 ft max. d. Height: 3.5 ft max. e. Depth / Projection: 5 in max. f. Clearance: 4 ft min. g. Apex: n/a h. Letter Height: n/a
DESCRIPTION	Outdoor Display Cases shall not exceed 6 square feet and may be internally illuminated.					
SIGN DETAILS	<ul style="list-style-type: none"> i. Each Outdoor Display Case shall not exceed 6 square feet. ii. Outdoor display cases may be externally or internally illuminated. iii. Theaters may be permitted larger outdoor display cases by Warrant. iv. Outdoor display cases shall not be attached to Shopfront windows. 					

h)

	PLACE TYPES	P2	P3	P4	P5	SPECIFICATIONS
SIDEWALK SIGN				P	P	<ul style="list-style-type: none"> a. Quantity: 1 Building max. b. Area: 3 sf max. c. Width: 24 in max. d. Height: 2 ft max. e. Depth / Projection: 3 in max. f. Clearance: 4 ft min. g. Apex: 7 ft max. h. Letter Height: n/a
DESCRIPTION	1 Freestanding, double-sided, temporary Sidewalk Sign may be placed within the Parking Strip Furnishing Zone of the Public Frontage for each Business. Sidewalk Signs shall be removed at the close of Business each day.					
SIGN DETAILS	<ul style="list-style-type: none"> i. Sidewalk Signs shall consist of Freestanding, double-sided temporary Signs placed at the entrance to a Business in a primarily Pedestrian environment. ii. Sidewalk Signs shall be removed at the close of Business each day. iii. 1 Sidewalk Sign shall be permitted for each Business. iv. Sidewalk Signs shall not exceed 42 inches in Height or 26 inches in width. v. Sidewalk Signs shall be moved inside during high winds or other weather conditions that might pose a hazard to public safety. 					

i)	PLACE TYPES	P2	P3	P4	P5	SPECIFICATIONS
WINDOW SIGN				P	P	<ul style="list-style-type: none"> a. Quantity: 1 per window max. b. Area: 25% coverage per window c. Width: n/a d. Height: n/a e. Depth / Projection: n/a f. Clearance: 4 FT min. g. Apex: n/a h. Letter Height: 8 in max.
DESCRIPTION	<p>Window Signs shall not interfere with the primary function of windows, that is to enable passersby and public safety personnel to see through windows into Premises and view product displays.</p>					
SIGN DETAILS	<p>i. Only the following Window Sign types shall be permitted:</p> <ul style="list-style-type: none"> ii(a) Vinyl applique letters applied to the window. Appliques shall consist of individual letters or graphics with no visible background. (a)(b) Letters painted directly on the window. (b)(c) Hanging Signs that hang from the ceiling behind the window. (c)(d) Neon Signs. (d)(e) Door Signs applied to or hanging inside the glass portion of an entrance doorway. <p>iiiii. Window Signs shall not interfere with the primary function of windows, that is to enable passersby and public safety personnel to see through windows into Premises and view product displays.</p> <p>iviii. Window Signs shall be no larger than 25% of the total area of the window onto which they are applied. Sign area shall be measured using smallest rectangle that fully encompasses the entire extent of letters, Logo and background.</p> <p>viv. Window Signs may list services and/or products sold on the Premises, or provide phone numbers, operating hours or other messages, provided that the total aggregate area of these messages not exceed the limit provided above.</p> <p>viv. Letters on window Signs shall be no taller than 8 inches.</p>					

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K)

PLACE TYPES

P2

P3

P4

P5

SPECIFICATIONS



YARD SIGN

P

P

- a. **Quantity:** 1 max per Lot
- b. **Area:** 6 sf max.
- c. **Width:** 3 ft max. (not counting post)
- d. **Height:** 2 ft max. (not counting post)
- e. **Depth / Projection:** n/a
- f. **Clearance:** min. 3 ft to Sign edge
- g. **Apex:** max. 6 ft to top of post
- h. **Letter Height:** 8 in max.

DESCRIPTION 1 single- or double-post Yard Sign may be placed with the Private Frontage.

SIGN DETAILS

- i. One single- or double-post Yard Sign for each Business may be permitted ~~by Warrant~~, provided it is set back at least 6 feet from the Frontage Line, does not exceed 6 square feet excluding posts, and does not exceed 6 feet high including posts, measured from the yard at the post location.

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K)

PLACE TYPES

P2

P3

P4

P5

SPECIFICATIONS

MONUMENT &
POLE SIGN



- a. **Quantity:** 1 max per Frontage
- b. **Height:** 35 ft max. in P5 on ~~HWY-SH 71 Frontage~~
 *see v.
 20 ft max in P5 on ~~HWY-SH 95 & HWY-Loop 150~~
 b. 64 ft max in P54
- c. **Max Height to width ratio:** 4:1

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DESCRIPTION

A Sign permanently affixed to the ground at its base or by poles that are enclosed by natural stone, stucco, brick, or wood and not mounted to a part of a Building. Pole(s) may be used to construct a Monument Sign so long as the poles are not visible below the Sign.

SIGN DETAILS

- i. A Monument Sign can be defined as a ground Sign generally having a low profile with little or no Open Space between the ground and the Sign and having a Structure constructed of masonry, wood, or materials similar in appearance.
- ii. How to Measure:
 - (1) Maximum total Height is measured from the finished grade at the center of the Sign. If the finished grade at the center of the Sign is higher than the finished grade of the closest paved surface, then the Height shall be measured from the finished grade of the closest paved surface.
 - (2) The monument base shall be a maximum of 2 feet in Height and shall be included in the calculation of total Height.
 - (3) A Monument Sign width cannot exceed 2 times the allowable Sign Height.
- iii. The max Height allowed along ~~SHHwy. 71~~ is 35 feet. Height limit is 8 feet if Band Sign Height exceeds 4 feet.
- iv. The max Height allowed along ~~LoopHwy. 150 and SH Hwy. 95~~ is 20 feet. Height limit is 8 feet if Band Sign height exceeds 4 feet.
- v. Signs along SH 71, SH 95 and Loop 150 can be internally illuminated.

vi. A warrant for internal illumination can be requested. Pole Signs are permitted along the Hwy 71 Frontage through the City Limits and the ETJ. Max Height 35 feet

K) PLACE TYPES P2 P3 P4 P5 SPECIFICATIONS

PYLON/POLE SIGN



- d. Quantity: 1 max per Frontage
- e. Height: 35 ft max. in P5 on SH 71
- ^{PV} 20 ft max in P5 on SH 95 & Loop 150
- f. Max Height to width ratio: 4:1

DESCRIPTION

A Sign permanently affixed to the ground at its base by a single- or double-poles, that are enclosed by a base of natural stone, stucco, brick, or wood and not mounted to a part of a Building. Only allowed in State Highway 71 & SH 95

i. How to Measure:

- (1) Maximum total Height is measured from the finished grade at the center of the Sign. If the finished grade at the center of the Sign is higher than the finished grade of the closest paved surface, then the Height shall be measured from the finished grade of the closest paved surface.
- (2) The pylon/pole base shall be a maximum of 2 feet in Height and shall be included in the calculation of total Height.

SIGN DETAILS

- ii. The max Height allowed along SH 71 is 35 feet.
- iii. The max Height allowed along Loop 150 and SH 95 is 20 feet.
- iv. Signs along SH 71, SH 95 and Loop 150 can be internally illuminated.
- v. Only allowed in a Sign Corridor and not allowed if Band Sign exceeds 4 feet in height.

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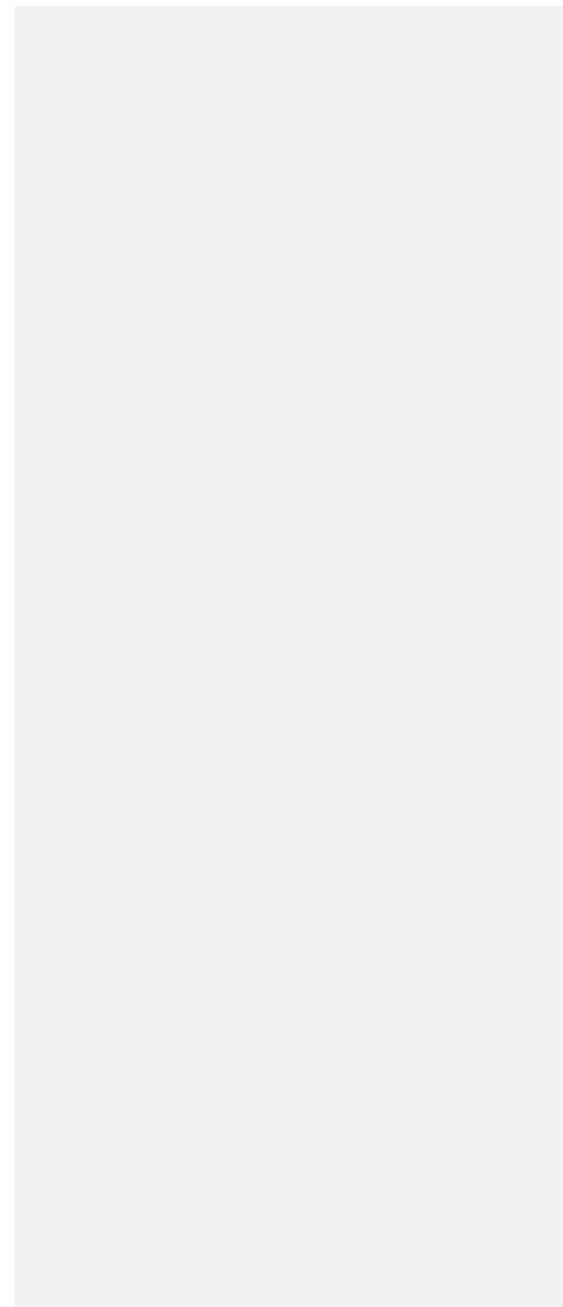
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ARTICLE 8.4 TEMPORARY SIGNS

SEC. 8.4.001 STANDARDS FOR TEMPORARY SIGNS

Temporary signs are allowed for a limited time period in accordance with the permitting requirements.

a) _____ Permits Required for:

Banner signs

Construction Site Signs

Development Information Signs

~~a)~~ _____ Banner signs

- (1) Maximum sign area is forty-eight (48) square feet and not to exceed 75% of the building or lease space width upon which the sign is to be located.
- (2) Maximum banner height dimension is four (4) feet.
- (3) One banner sign may be placed on a building for up to two (2) weeks four (4) times per calendar year. The periods may be combined. Each tenant space or building located on a single lot or in a complex shall be allowed an individual banner as allowed per this article.
- (4) All four (4) corners of a banner sign shall be securely

attached to the building.

~~(5) Street banners announcing permitted community events may be placed over the public right-of-way in the CBD on Chestnut Street and Main Street as~~

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~~permitted by law. A maximum of one banner per block shall be permitted, and no more than two (2) banners per event shall be allowed.~~

~~(b)(c)~~ _____ Bandit Signs

- (1) Bandit signs shall not exceed four (4) square feet and shall not be more than three (3) feet above the natural grade.
- (2) Bandit signs shall be authorized for new residential subdivisions during the development and sale phases only.
- (3) Bandit signs shall not be placed on the public right-of-way, or within the visibility triangle of an intersection.
- (4) The posting of bandit signs shall only be allowed between the hours of 5:00 a.m. Saturday through 6:00 a.m. Monday.
- (5) The bandit signs shall be set back from the property line a minimum of five (5) feet and shall not exceed three (3) feet in height above the natural grade.
- (6) Any bandit sign placed prior to 5:00 a.m. on Saturday or not removed by 6:00 a.m. Monday shall be in violation of this article. The city shall remove bandit

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signs in violation of this article within twenty-four (24) hours. The owner of the bandit sign shall be fined in accordance with this article.

~~(e)~~(b) Construction Site Signs

- (1) The maximum sign area for a construction site sign is as follows:
 - A. Freestanding: Thirty-two (32) square feet.
 - B. Wall signs: 10% of building or lease space facade on which it is attached.
- (3) Only one freestanding sign per street frontage on the property where the activity is to occur is permitted.
- (4) Only one wall sign per building is permitted.
- (5) The construction site sign shall be displayed no earlier than thirty (30) days before the commencement of the activity and must be removed no later that thirty (30) days after the activity is completed, or the installation of a permanent sign, whichever occurs first.

~~(d)~~ Development information signs

- (1) The maximum sign area shall not exceed forty (40) square feet.
- (2) One sign is allowed for every fifty (50) lots, not to exceed thirty-two (32) signs unless the project exceeds four (4) square miles.
- (3) All signs must conform to a unified design, shape and neutral color scheme and be constructed of strong, durable weather-resistant materials.
- (4) For a residential subdivision, the sign may be displayed once the plat is recorded and shall be removed when 90% of each phase to which the sign is a part of is completed.
- (5) For a commercial development not requiring platting, the sign may be displayed with the approval of either the site plan or the building permit.
- (6) Development information signs shall be located on private property within the project subdivision/development to which the signs pertain. Signs may not be located on boundary streets of the project subdivision.

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~~(e)(c)~~ Garage sale signs

- (1) Must be located on private property (i.e., not in the right-of-way or on a utility pole) at a distance not less than three (3) feet from a curb.
- (2) A maximum sign area of four (4) square feet.
- (3) Allowed from 5:00 p.m. Thursday until 8:00 a.m. Monday (unless Monday is a holiday, in which case the sign can remain until 8:00 a.m. Tuesday).

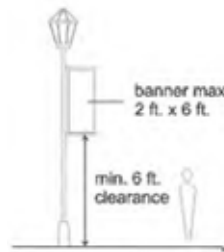
~~(f)~~ ~~Light pole-mounted banners~~

- ~~(1) Limited to not more than one banner on any light pole.~~
- ~~(2) Limited to no more than two (2) feet x six (6) feet in exterior dimension and twelve (12) square feet in area per banner.~~
- ~~(3) A minimum height of six (6) feet as measured from adjacent grade to the bottom of the banner.~~
- ~~(4) A maximum height of twelve (12) feet to the top of the banner.~~

~~(5) Banners shall be maintained in good repair. Should they become excessively faded, tattered or torn, they shall be replaced or removed.~~

~~(6) Banners shall not be illuminated, except for indirect lighting associated with the main lamp of the light pole to which it is mounted.~~

~~(7) Banners shall be permitted in the CBD for the advertising of permitted community events, seasonal and historic themes, or other such civic purposes; on collector level and higher classification within a residential subdivision; within master planned commercial subdivision. Such banners are limited to subdivision identification, or seasonal decorations and works of art by local artists. Such banners must be approved by the appropriate electric utility company in addition to receiving a permit from the city's planning and development department.~~



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~~(g)~~ Model Home Signs

- (1) The maximum sign area is eighteen (18) square feet.
- (2) The maximum height is six (6) feet.
- (3) One sign per cluster of model homes per builder.
- (4) A nameplate sign that identifies the individual product name is exempt if it does not exceed three (3) square feet nor three (3) feet in height.
- (5) Must be placed in front of a cluster of one or more model homes per builder.
- (6) All model home signage must be removed from the premises upon sale of the last model in the cluster.

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Sidewalk Sign shall mean an A-framed, hinged, or folding Sign that is Freestanding and portable and not affixed to a base or pole structure. A Sidewalk Sign can be in the form of a board or an easel.

Sideyard shall mean the placement of a Building within the boundaries of its Lot to create a private Sideyard, with a Setback to one side. Sideyard is a Building Type.

Sight Triangle shall mean a triangular shaped area required on corner lots at the intersection of two streets including alleys that impact multi-modal traffic safety. See Section 2.1.011 of the B3TM for Sight Triangle figures and tables to calculate the appropriate area.

Sign shall mean a structure, Sign, display, light device, figure, painting, drawing, message, plaque, poster, billboard, or other object that is designed, intended, or used that includes text or images designed to communicate. Signs located completely within an enclosed Building and not exposed to view from outside the Building or Structure shall not be considered a Sign. Each display surface of a Sign or Sign Face shall be a Sign.

Sign Administrator shall mean the ~~City's Director of Planning & Development or designee~~officer appointed by the City Council with given the authority to enforce this Code. The Sign Administrator or designee shall review Sign Standards and applications. ~~In the absence of designation by the City Council, the City Administrator shall serve as the Sign Manager.~~ The term also includes any person designated to act on behalf of the Sign Administrator.

Sign Face shall mean the total surface including frame and mounting. The actual area of the Sign shall be calculated using trigonometric methods when the Sign is not a simple rectangle. The allowed area of the Sign as stated in the ordinance equals one side of a Freestanding back-to-back Sign provided the Freestanding Sign's sides are back to back or angled with no greater separation between sides at its widest point than 4 feet and provided that both sides have the identical Sign. Frame and mounting shall not exceed 30% of the total surface area of Sign. When referring to area limitations of monument Signs, area and signable area refers to an area within a continuous perimeter that includes the Sign structure as well as the lettering, illustrations,

TO: Paul A. Hofmann, City Manager
From: Jennifer C. Bills, Assistant Planning Director
Date: May 13, 2021
Subject: Sign Code Amendments for May 25, 2021



=====
At the January 28, 2021, the Assistant Planning Director provided an update on the Bastrop Building Block (B³) Code and provided specific sections of the Code that need some revisions that staff has identified during the implementation phase. Chapter 8 – Signs is a part of the code that the business community has provided feedback, especially on the State Highway 71 and State Highway 95 corridors.

Summary of Amendments

Section 8.1.007 Non-conforming Signs

- Added language for applicable standards from the previous code that apply to existing non-conforming Electronic Message Signs.

Section 8.1.009 Signs Requiring a Permit

- Removed Address Sign. Addresses are required in the International Building Code and International Fire Code. Remove any references from Chapter 8 as size requirements conflict with adopted I-Codes.
- Reorganized Freestanding Signs list to include all freestanding sign types (directional, monument and pylon/pole.) Added applicable standards for each sign type.
- Added Internal Illumination Standards in addition to External Illumination Requirement.
 - Internal illumination shall not operate at brightness levels of more than 0.2 foot-candles above ambient light conditions at the property line, as measured using a foot-candle meter. The total lumen output of all signs cannot exceed 10% of the total lumen allowance in Section 6.6 – Outdoor Lighting.
- Added Sign Corridors for SH 71, SH 95 and Loop 150 south of the bridge.
 - Locations for Sign Corridors:
 - SH 71 Corridor. The area located 720 feet from the center line of the adjacent main lane of State Highway 71.
 - SH 95 Corridor. The area located 330 feet from the center lane of the lane of State Highway 95.

- Loop 150 Corridor. The area located 330 feet from the center lane of Loop 150, south of the Colorado River.

- Added Incidental signs definition - signs that are intended for the convenience of the public, which are informational only, and which do not include the advertising of products or services. Such signs include business hours signs, credit card signs, entrance and exit signs, and similar signs, some of which may be required by law for safety purposes. Cannot be illuminated. Total signage on buildings will count to 15% total sign area. Individual signs cannot be greater than 12 square feet.

Section 8.1.011 Sign Permit Requirements

- Added clarification of when Warrants can be requested and approval process by the Sign Administrator.
- Appeals of denials are forward to Zoning Board of Adjustments instead of Planning & Zoning Commission, to be consistent with other sign review complaints and variances.

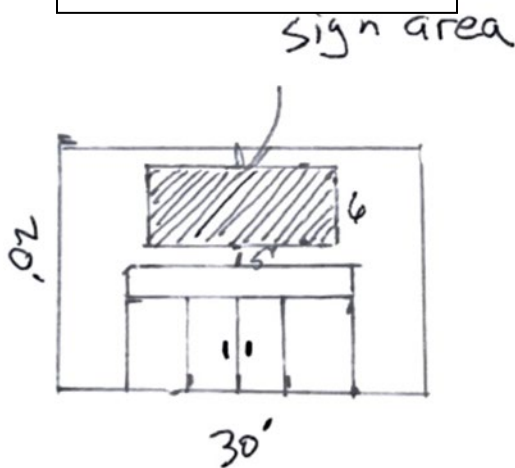
Article 8.2 Master Plans

- Clarified what elements can be approved in a Master Plan. Not appropriate for a single tenant site. Cannot include sign types not allowed in that Place Type. Cannot include changes to non-conforming signs.

Article 8.3 On-Premise Sign Types & Standards

- a) Awnings & Signs. Added standards for flat roof awning, which are prevalent in Bastrop.
- c) Band Signs – SH 71, SH 95, & Loop 150 – Added standards for Corridors
 - Band signs allowed on street facing facades.
 - 15% of the area of the tallest story.
 - No letter size or height limits.
 - For sites that include Band Signs over 4 feet in height cannot have Pylon/Pole sign and are limited to a Monument Sign 8 feet in height.

Band Sign Example
Proposed Standard



20' tall by 30' wide
building

600 sf wall area

90 sf 15% - sign area

6' x 15' = 90 sf

- Split Monument and Pylon/Pole Standards into two separate tables.
 - Added Internal Illumination to Monument Signs and Pole/Pylon Signs along SH 71, SH 95 and Loop 150 Corridors.
 - Added maximum height of 6 feet for Monument Signs in P5 in the rest of city.
 - Added allowance to apply for a warrant for internal illumination on Monument Signs outside of Sign Corridors
- Article 8.4 Temporary Signs
 - Added permit requirements for Banner, Construction Site, and Development Information Signs.
 - Removed requirements/reference to the Central Business District (pre-2015 zoning district)
 - Removed Light pole-mounted banners. Banners on city owned poles are regulated under Government Signs.
- Chapter 10 – Definitions Sign Administrator (page 244).
 - Amended from City Council appointed to the Director of Planning & Development or designee.

Sign Code Amendments

Hold public hearing and consider action to approve the first reading of Ordinance No. 2021-54 of the City Council of the City of Bastrop, Texas adopting amendments to Chapter 8 – Signs, including, Section 8.1.007 Non-conforming Signs, Section 8.1.009 Signs Requiring a Permit, Section 8.1.011 Sign Permit Requirements, Article 8.2 Master Plans, Article 8.3 On-Premises Sign Types & Standards, and Article 8.4 Temporary Signs, and Chapter 10 – Section 10.1.002 Definitions of the Bastrop Building Block B3 Code, as attached in Exhibit A; and providing for findings of fact, adoption, repealer, severability, and enforcement; and establishing an effecting date, and move to include on the June 8, 2021 Consent Agenda.



Chapter 8 – Sign Amendments

- Joint P&Z/CC meeting
 - Presented Sign Code sections that need updating
 - Based largely on community feedback



Section 8.1.007 Non-conforming Signs

- Added language for applicable standards from the previous code that apply to existing non-conforming Electronic Message Signs.



Section 8.1.009 Signs Requiring a Permit

- Removed Address Sign.
 - Required in the International Building Code and International Fire Code, which creates conflicts.
- Reorganized Freestanding Signs list
 - Include all freestanding sign types (directional, monument, and pylon/pole.)
 - Added applicable standards for each sign type.



Section 8.1.009 Signs Requiring a Permit (2)

- Added Internal Illumination Standards in addition to External Illumination Requirement.
 - Illumination cannot be brighter than 0.2 foot-candles at the property line.
 - Total lumen output of all signs cannot exceed 10% of the total lumen allowance in Section 6.6 – Outdoor Lighting.
- Added Sign Corridors for SH 71, SH 95 and Loop 150 south of the bridge.

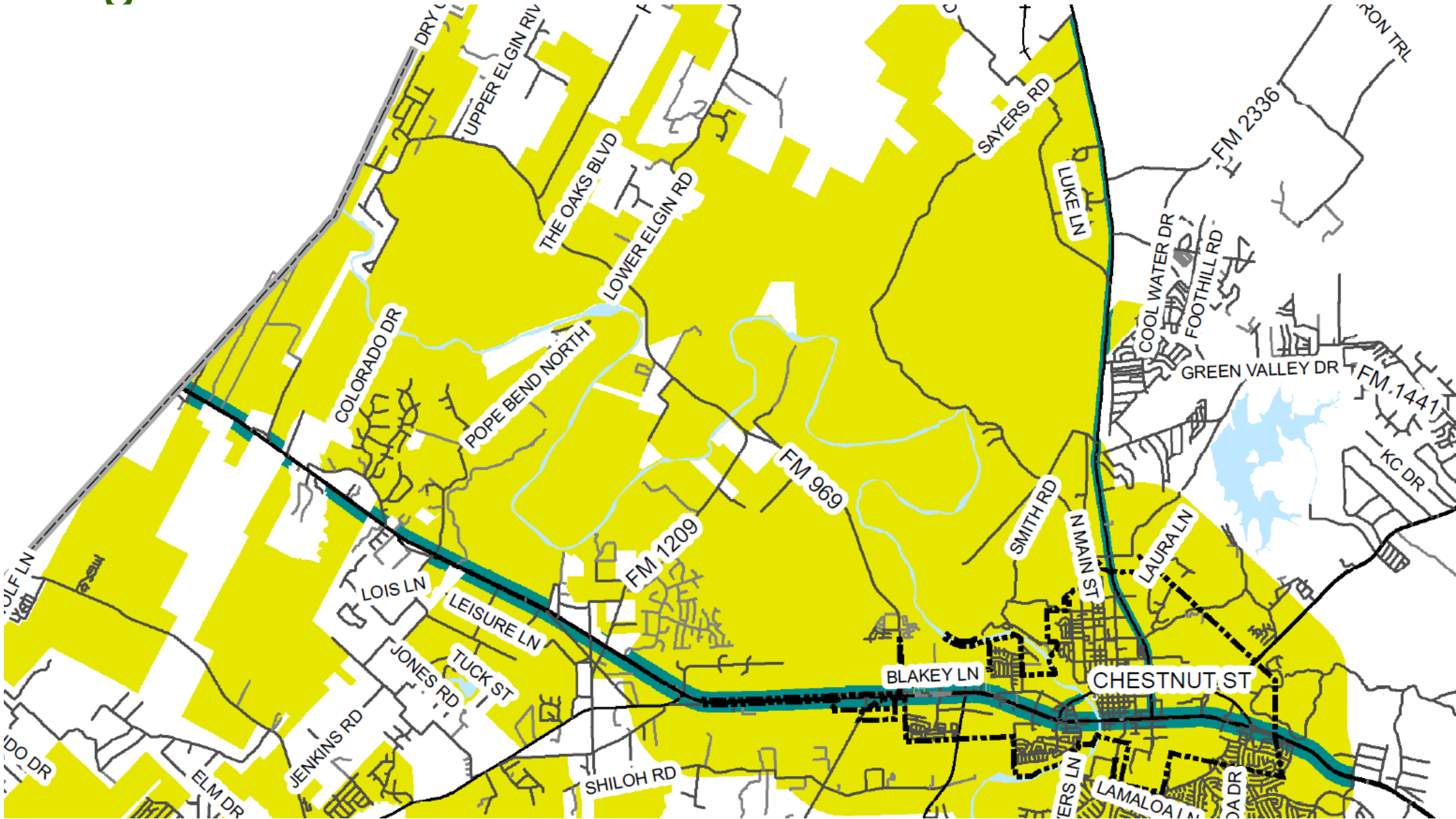


Section 8.1.009 Signs Requiring a Permit (3)

- Locations for Sign Corridors:
 - SH 71 Corridor. The area located 720 feet from the center line of the adjacent main lane of State Highway 71.
 - SH 95 Corridor. The area located 330 feet from the center lane of the lane of State Highway 95.
 - Loop 150 Corridor. The area located 330 feet from the center lane of Loop 150, south of the Colorado River.



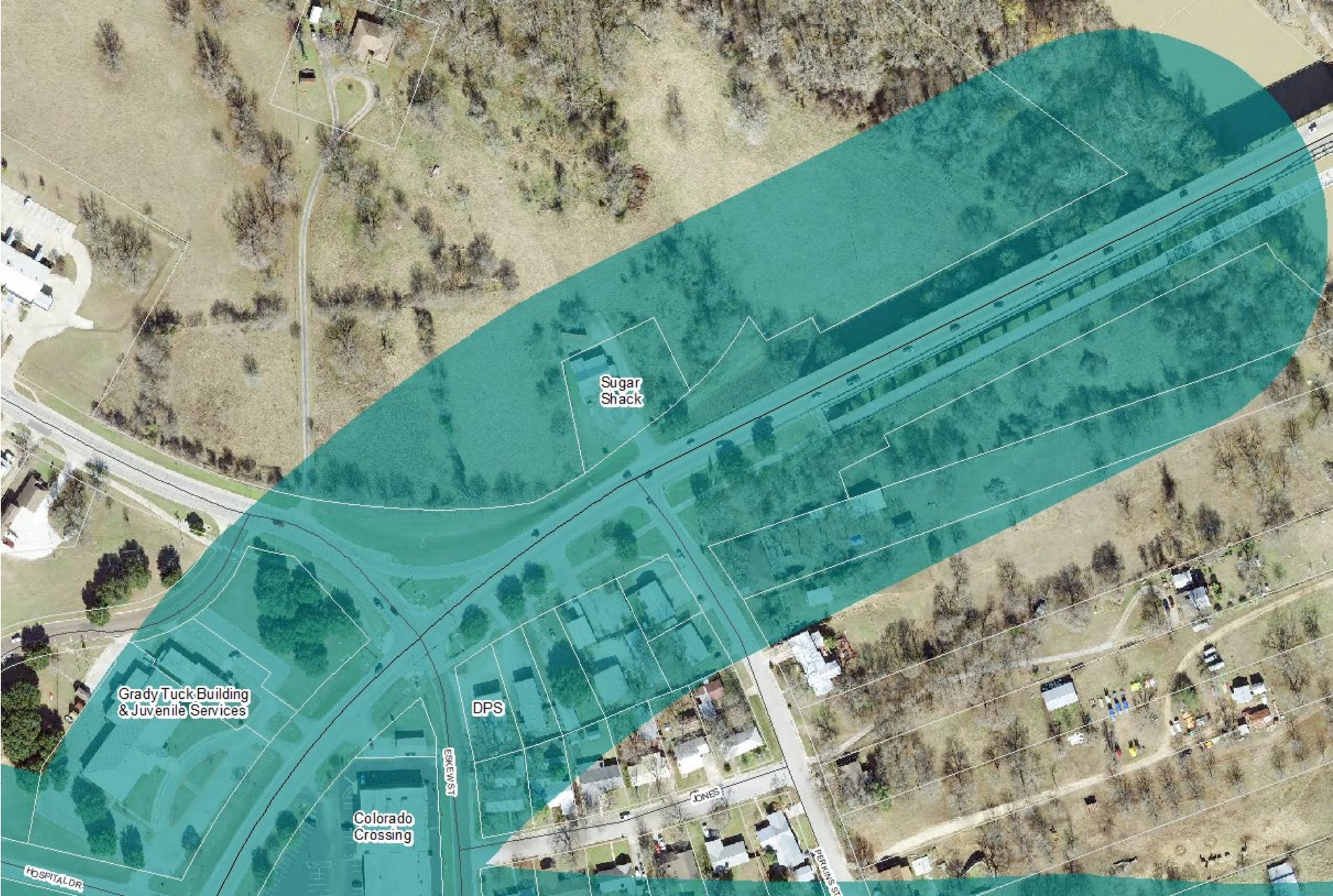
Sign Corridors



Sign Corridors: SH 95



Sign Corridors: Loop 150



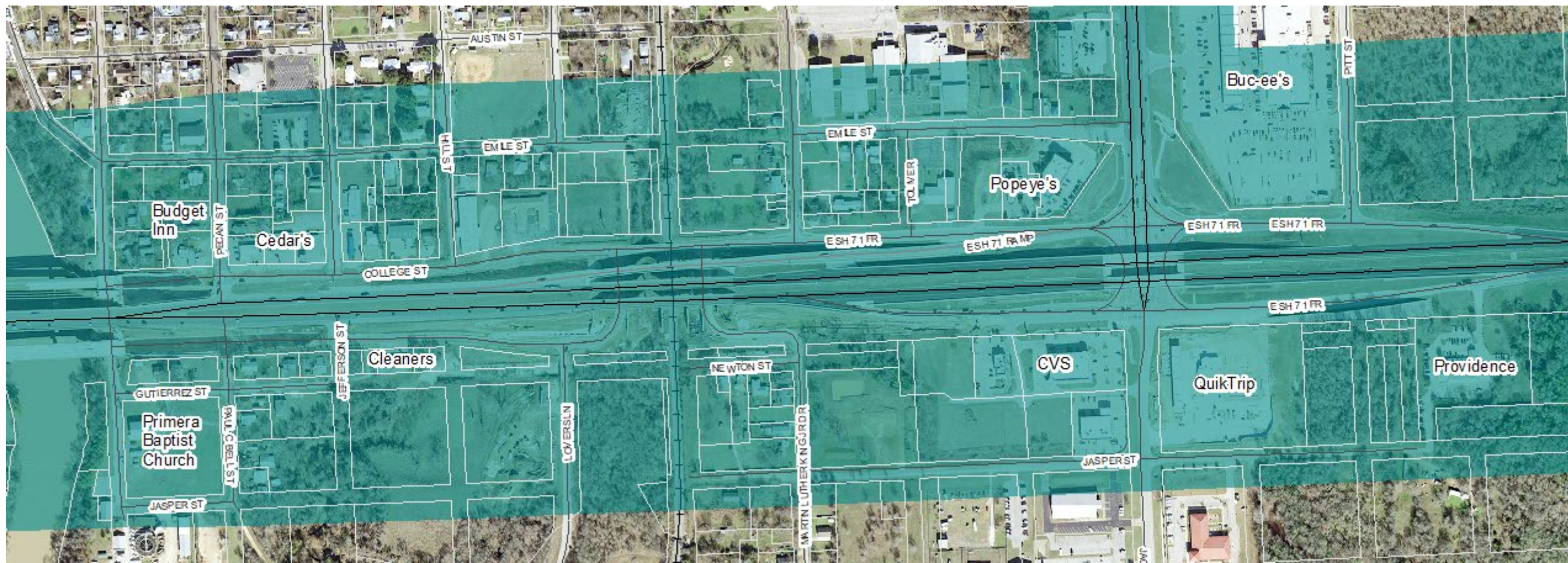
Sign Corridors: SH 71 (west of river)



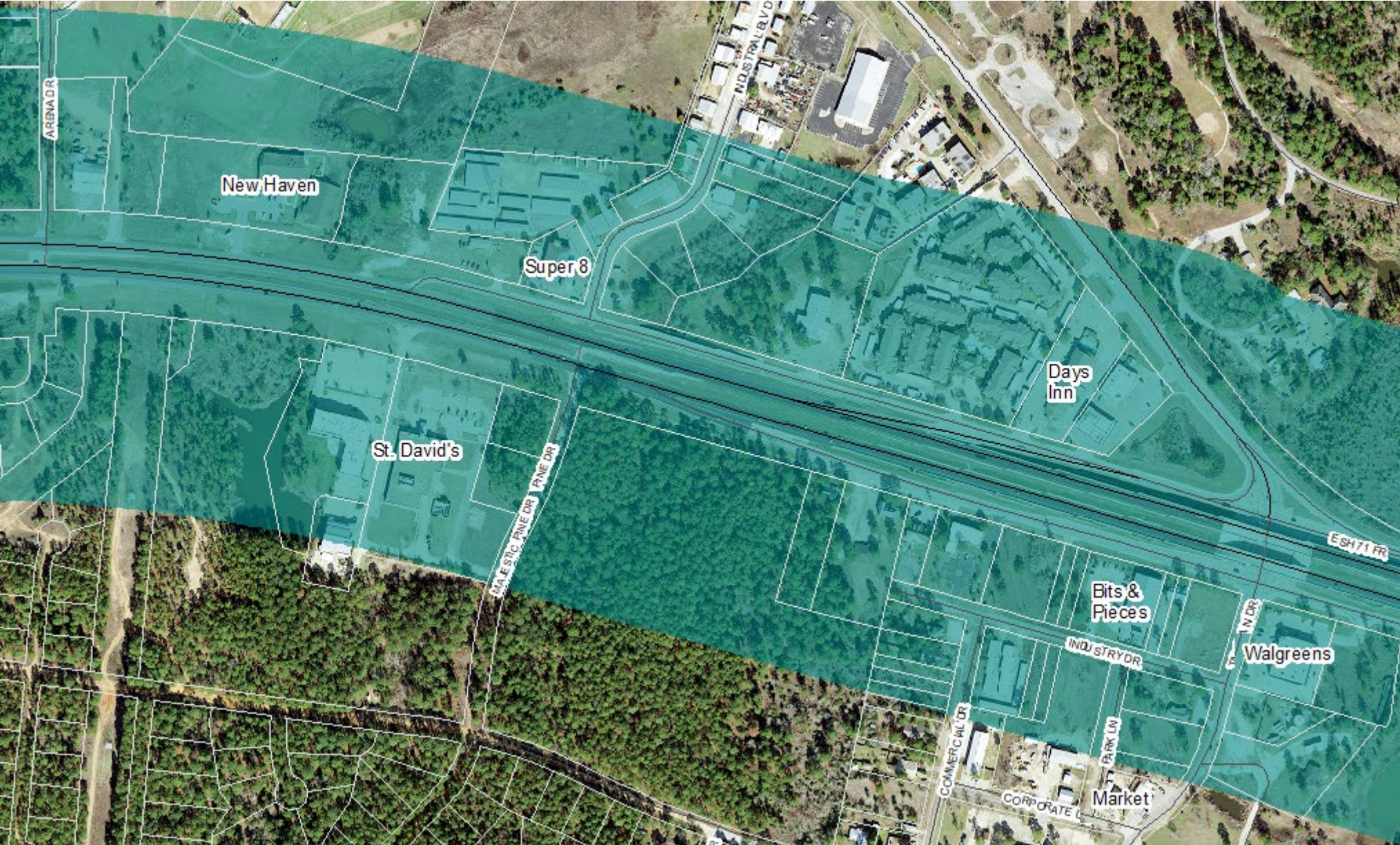
Sign Corridors: SH 71 (west of river cont.)



Sign Corridors: SH 71 (east of river)



Sign Corridors: SH 71 (east of river cont.)



Section 8.1.009 Signs Requiring a Permit (3)

- Added Incidental signs definition - signs that are intended for the convenience of the public, which are informational only, and which do not include the advertising of products or services.
 - Cannot be illuminated.
 - Total signage on buildings will count towards 15% total sign area. Individual signs cannot be greater than 12 square feet.



Section 8.1.011 Sign Permit Requirements

- Added clarification of when Warrants can be requested and approval process by the Sign Administrator.
- Appeals of denials are forward to Zoning Board of Adjustments instead of Planning & Zoning Commission, to be consistent with other sign review complaints and variances.



Article 8.2 Master Plans

- Clarified what elements can be approved in a Master Plan.
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- Not appropriate for a single tenant site.
- Cannot include sign types not allowed in that Place Type.
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Article 8.3 On-Premise Sign Types & Standards

- a) Awnings & Signs. Added standards for flat roof awning, which are prevalent in Bastrop.

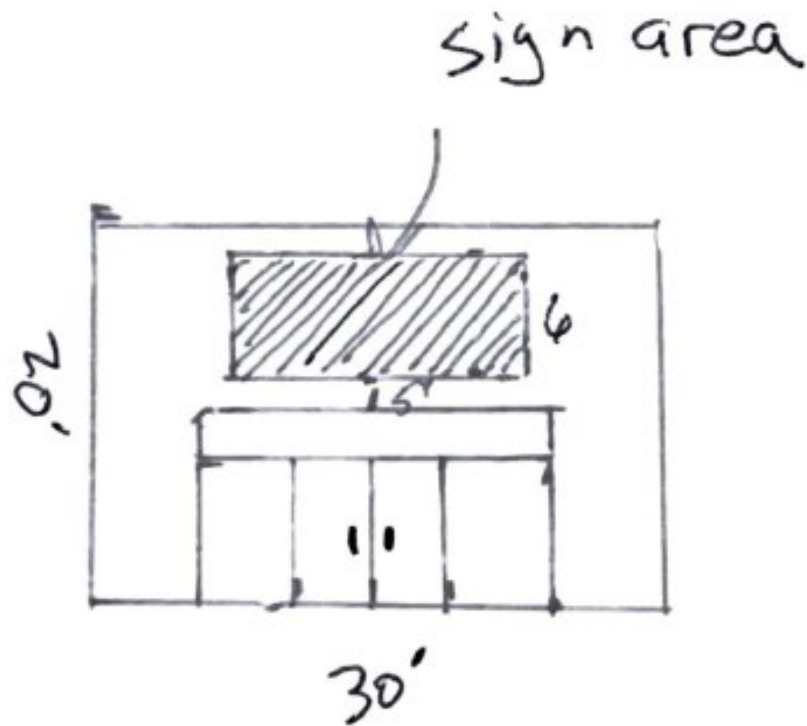


Article 8.3 On-Premise Sign Types & Standards

- c) Band Signs – SH 71, SH 95, & Loop 150 – Added standards for Corridors
 - Band signs allowed on street facing facades.
 - Band Size allowance will be calculated as maximum of 15% of the area of the tallest story. No height or letter size limits.
 - Sites that install a **Band Signs over 4 feet** in height cannot have Pylon/Pole signs and are limited to a Monument Sign 8 feet in height.



SH 71 and SH95: Band Sign Example



20' tall by 30' wide
building

600 sf wall area

90 sf 15% - sign area

$$6' \times 15' = 90 \text{ sf}$$

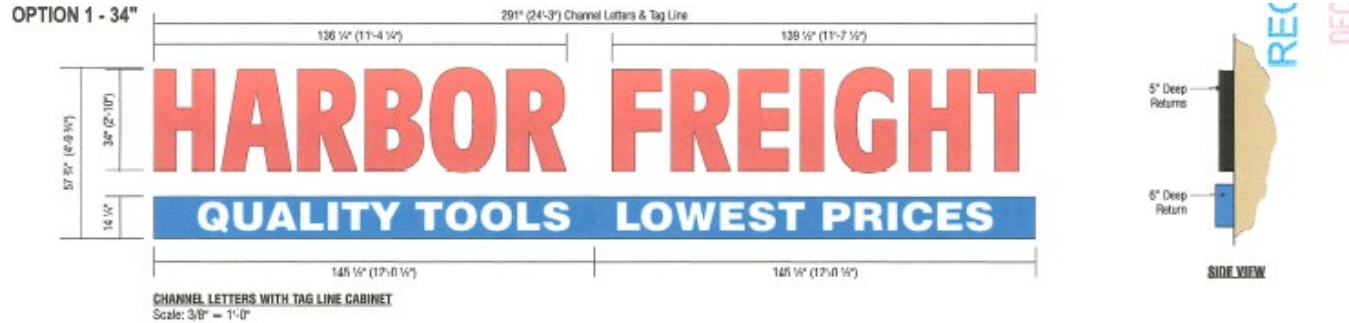
Cube Smart Sign to Façade Ratio

- Signs take up approximately 8.5% of the front façade



Cube Smart Sign to Façade Ratio

- Sign takes up approximately 9.4% of the front façade



SCOPE OF WORK:

Manufacture and install set of internally illuminated (face lit) channel letters and S/F Tagline Cabinet. Letters & Tagline Cabinet are flush mounted to fascia.

DESCRIPTION:

Individual formed letters with pre-finished aluminum returns. Internal illumination by GE LED modules and power supplies. Acrylic letter faces are secured with 1" Jewelle trimcap. Channel Letter set to be flush mounted (with remote power supplies).

Tagline Cabinet is aluminum extrusion with painted finish. (2) cabinet buzzed end to end with single piece flex face & surface applied vinyl graphics. Face has bleed face tension frame. Cabinets are flush mounted to fascia. Internal illumination by GE LED EdgeStrip modules and power supplies.

LETTER COLOR SCHEDULE:

- Backs & Returns = Formed aluminum satin Black (outside) White (inside)
- .177" Faces = 2793 Optics LD red acrylic
- Trim cap = 1" Black Jewelle
- Internal Illumination = GE Red LED's

TAGLINE COLOR SCHEDULE:

- Extruded Cabinet = Painted Alcoa Nobel 400-C-5 Blue (satin)
- Flex Face = 3M Passagraphics II - White with Bleed Face Tension Frame
- Vinyl Graphics = 3M 363D-97 Bristol Blue - Wood copy
- Internal Illumination = GE LED EdgeStrip modules - White

SQUARE FOOTAGE:

Allowed: 1 SF for every 1 LF = 95 SF

Proposed:

"HARBOR"	34" x 136.25" =	32.17 sq ft
"FREIGHT"	34" x 138.5" =	32.93 sq ft
Cabinet	14.25" x 291" =	28.78 sq ft
TOTAL		63.88 sq ft

ELECTRICAL BIDD	
Unit	1000 Amps 120V Secondary
Panel	225 Amp
Circuit	(2) 100AMP / 20 AMP Dedicated
Panel Installation	(2) 10 Amp @ 120VAC
Power Supplies	4 @ 6.00

ELECTRICAL NOTE	
1.	All materials and labor must meet IEEE 4
2.	All electrical work must be done in accordance with IEEE 4
3.	Other permitted according to IEEE 4
4.	Signage must be installed and tested in accordance with IEEE 4
5.	All work must be done in accordance with IEEE 4
6.	All signs must be installed in accordance with IEEE 4
7.	All signs must be installed in accordance with IEEE 4
8.	All signs must be installed in accordance with IEEE 4
9.	All signs must be installed in accordance with IEEE 4
10.	All signs must be installed in accordance with IEEE 4

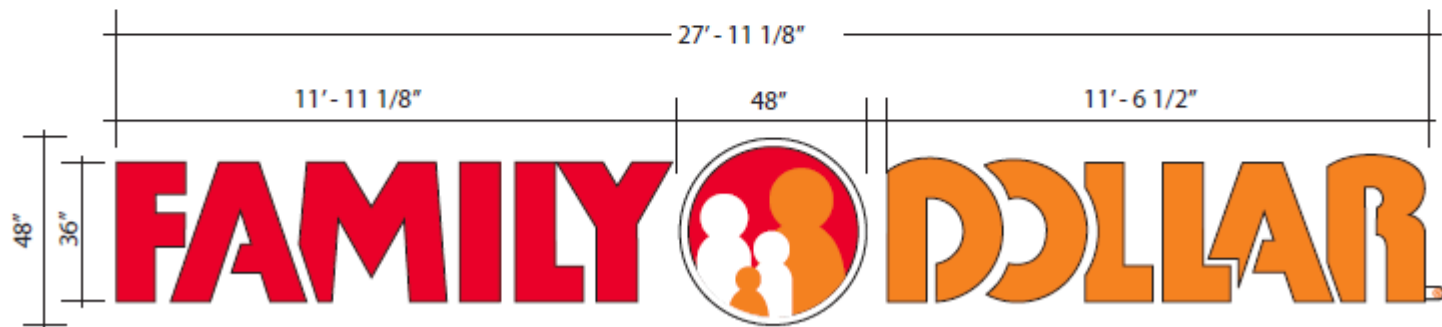


Cube Smart Sign to Façade Ratio

- Sign takes up approximately 11% of the front façade



FRONT ELEVATION



.063 WHITE ALUM. TAB
FOR REGISTER MARK



Article 8.3 On-Premise Sign Types & Standards (2)

- Split Monument and Pylon/Pole Standards into two separate tables.
- Added Internal Illumination to Monument Signs and Pole/Pylon Signs along SH 71, SH 95 and Loop 150 Corridors.



Article 8.3 On-Premise Sign Types & Standards (3)

- Added maximum height of 6 feet for Monument Signs in P5 not in a Corridor.
- Added allowance to apply for a warrant for internal illumination on Monument Signs outside of Sign Corridors



Article 8.4 Temporary Signs

- Added permit requirements for Banner, Construction Site, and Development Information Signs.
- Removed requirements/reference to the Central Business District (pre-2015 zoning district)
- Removed Light Pole-mounted Banners. Banners on city owned poles are regulated under Government Signs.



Chapter 10 – Definitions Sign Administrator (page 244).

- Amended from City Council appointed to the Director of Planning & Development or designee.



Planning & Zoning Commission Recommendation

- The Planning & Zoning Commission held a workshop on March 25, 2021 to discuss direction to staff on possible Sign Code amendments.
- At the April 29, 2021 regular meeting, the Commission held a public hearing and unanimously recommended approval of the Sign Code amendments to the City Council.



Recommendation

- The Assistant Planning Director recommends holding a public hearing and consider action approve Ordinance 2021-54 of the City Council of the City of Bastrop, Texas amending Chapter 8 – Signs, including, Section 8.1.007 Non-conforming Signs, Section 8.1.009 Signs Requiring a Permit, Section 8.1.011 Sign Permit Requirements, Article 8.2 Master Plans, Article 8.3 On-Premises Sign Types & Standards, and Article 8.4 Temporary Signs, and Chapter 10 – Section 10.1.002 Definitions of the Bastrop Building Block B3 Code, as attached in Exhibit A; and providing for findings of fact, adoption, repealer, severability, and enforcement; and establishing an effecting date, and move to include on the June 8, 2021 Consent Agenda.





STAFF REPORT

MEETING DATE: May 25, 2021

AGENDA ITEM: 9C

TITLE:

Consider action to approve Resolution No. R-2021-51 of the City Council of the City of Bastrop, Texas, authorizing proceeding with issuance of certificates of obligation and further directing the publication of notice of intention to issue City of Bastrop, Texas Combination Tax and Revenue Certificates of Obligation, Series 2021.

AGENDA ITEM SUBMITTED BY:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

On April 27, 2021 City Council received an update from CFO Waldron and Dan Wegmiller the City's Financial Advisor, regarding the recommendation of issuing Certificates of Obligation for the annual bond financing needed to continue the construction of the WWTP#3 and the design and partial construction of the Water Treatment Plant at XS Ranch.

This Certificate of Obligation, Series 2021 is for \$35.7M with \$35M for water and wastewater infrastructure and \$700,000 for fence replacement in the Hunter's Crossing Public Improvement District. The PID will be responsible for the portion of debt payments for the \$700,000.

Issuance Timeline for Competitive Sale:

May 25, 2021	City Council to approve resolution directing publication of notice of intent
Week of May 25 th	First Notice of Intent appears in the newspaper
Week of May 31 st	Second Notice of Intent appears in the newspaper Specialized Public Finance makes application to S&P to obtain ratings on the CO's
Week of June 14 th	Rating Conference Call
July 6, 2021	The Preliminary Official Statement is distributed to the bidders
July 1, 2021	Rating(s) are received and published
July 13, 2021	The City Council adopts an ordinance authorizing the issuance of the CO's
August 5, 2021	Closing of the sale

City Charter Sec. 7.01 – Powers to Issue

In keeping with state law, the City shall have the power to borrow money on the credit of the City for any public purpose not now or hereafter prohibited by state law.

Bond Council has advised that state law supersedes the City Charter in only requiring one reading for a Bond Ordinance.

RECOMMENDATION:

Tracy Waldron, Chief Financial officer recommends approval of Resolution R-2021-51 of the City Council of the City of Bastrop, authorizing proceeding with issuance of Certificates of Obligation and further directing the publication of notice of intention to issue City of Bastrop, Texas Combination Tax and Revenue Certificates of Obligation, Series 2020.

ATTACHMENTS:

- Resolution R-2021-51



RESOLUTION NO. R-2021-51

**RESOLUTION AUTHORIZING PROCEEDING WITH ISSUANCE OF
CERTIFICATES OF OBLIGATION AND FURTHER DIRECTING THE
PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF
BASTROP, TEXAS COMBINATION TAX AND REVENUE
CERTIFICATES OF OBLIGATION, SERIES 2021**

**THE STATE OF TEXAS §
COUNTY OF BASTROP §
CITY OF BASTROP §**

WHEREAS, the City Council (the "Council") of the City of Bastrop, Texas (the " City ") has determined it to be in the City 's best interest to issue certificates of obligation for paying all or a portion of the City's contractual obligations incurred or to be incurred for (i) constructing, improving, extending and/or expanding the City's water and wastewater system (including Wastewater Treatment Plant #3 and all associated transmission lines and pumping facilities and the Water Treatment Plant at XS Ranch), including equipment, vehicles, additional water supply well and related pipeline and improvements for storm water drainage and detention and related roadway improvements; (ii) fence replacement and related improvements and repairs within the City's Hunters Crossing neighborhood, and (iii) payment of professional services in connection therewith including legal, engineering, architectural and fiscal fees and the costs of issuing the Certificates (collectively the "Project"); and

WHEREAS, the Council has deemed it advisable to give notice of intention to issue the Certificates in a maximum principal amount not to exceed \$35,700,000 pursuant to the provisions of the Certificate of Obligation Act of 1971, Section 271.041 et seq., Local Government Code, as amended (the "Act"), for the purpose of financing the Project; and

WHEREAS, prior to the issuance of the Certificates, the Council is required under Section 271.041 et seq., Local Government Code to publish notice of its intention to issue the Certificates in a newspaper of general circulation in the City, the notice stating: (i) the time and place tentatively set for the passage of the order authorizing the issuance of the Certificates, (ii) the maximum amount and purpose of the Certificates to be authorized; and (iii) the manner in which the Certificates will be paid; and

WHEREAS, the meeting at which this Resolution is adopted was open to the public and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Government Code, as amended.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

SECTION 1: Attached hereto is a form of the Notice of Intention to Issue the Certificates, the form and substance of which is hereby adopted and approved.

SECTION 2: The City Secretary shall cause said notice to be published in substantially the form attached hereto, in a newspaper, as defined by Subchapter C, Chapter 2051, Texas Government Code, of general circulation in the area of the City, once a week for two consecutive weeks, the date of the first publication thereof to be before the 45th day before the date tentatively set for the passage of the ordinance authorizing the issuance of the Certificates.

SECTION 3: This Resolution shall become effective immediately upon adoption. The City Secretary is hereby authorized and directed to execute the certificate to which this Resolution is attached on behalf of the City and the Mayor, City Secretary, the City Manager and Director of Finance are further authorized to do any and all things proper and necessary to carry out the intent of this Resolution including approving appropriate changes to the notice and approving the final form of any Preliminary Official Statement for distribution to the market in connection with the sale of the Certificates.

SECTION 4: The City hereby authorizes the disbursement of a fee equal to the lesser of (i) one-tenth of one percent of the principal amount of each series of the obligations being issued or (ii) \$9,500 per series, provided that such fee shall not be less than \$750, to the Attorney General of Texas Public Finance Division for payment of the examination fee charged by the State of Texas for the Attorney General's review and approval of public securities and credit agreements, as required by Section 1202.004 of the Texas Government Code. The appropriate member of the City's staff is hereby instructed to take the necessary measures to make this payment. The City is also authorized to reimburse the appropriate City funds for such payment from proceeds of the obligations.

[Execution Page Follows]

DULY RESOLVED AND ADPOTED by the City Council of the City of Bastrop this 25th day of May 2021.

Ann Franklin, City Secretary
City of Bastrop, Texas

Connie B. Schroeder, Mayor,
City of Bastrop, Texas

[SEAL]

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

**NOTICE OF INTENTION TO ISSUE
CITY OF BASTROP, TEXAS
COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION,
SERIES 2021**

NOTICE is hereby given that it is the intention of the City Council of the City of Bastrop, Texas to issue Certificates of Obligation (the "Certificates") of the City in one or more series for the purpose of providing funds for paying contractual obligations incurred or to be incurred for: (i) constructing, improving, extending and/or expanding the City's water and wastewater system, (including Wastewater Treatment Plant #3 and all associated transmission lines and pumping facilities and the Water Treatment Plant at XS Ranch), including equipment, vehicles, additional water supply well and related pipeline and improvements for storm water drainage and detention and related roadway improvements; (ii) fence replacement and related improvements and repairs within the City's Hunters Crossing neighborhood, and (iii) payment of professional services in connection therewith including legal, engineering, architectural and fiscal fees and the costs of issuing the Certificates. The City Council tentatively proposes to authorize the issuance of the Certificates at its regular meeting place in the City Hall, 1311 Chestnut Street, Bastrop, Texas to be commenced at 6:30 p.m., on the 13th day of July 2021. The maximum principal amount of Certificates that may be authorized for the above listed purposes is \$35,700,000. The City Council presently proposes to provide for the security and payment of the Certificates by a pledge of ad valorem taxes upon all taxable property within the City within the limits allowed by law and from a limited pledge of the City's surplus water and sewer system revenues not to exceed \$1,000.

Due to the ongoing public health concerns regarding the COVID 19 virus, and as may be authorized by Executive Order of the Governor of Texas, such meeting on July 13, 2021 may be conducted via a free public video conference or other lawful electronic means. In such event, information regarding how to access the meeting and public participation in the meeting will be available on the City's website and in the agenda posted no less than 72 hours before the July 13, 2021 meeting at the following internet address: <https://cityofbastrop.org/index.html>.

The following information is required pursuant to Texas Local Government Code, Section 271.049(b)(4): As of May 25, 2021 principal of all outstanding debt obligations of the City is \$39,555,000.00. As of May 25, 2021 combined principal and interest required to pay all outstanding debt obligations of the City on time and in full is \$46,295,568.78. The maximum principal amount of the Certificates to be authorized is \$35,700,000.00. The estimated combined principal and interest required to pay the Certificates to be authorized on time and in full is \$56,072,650.00. The estimated interest rate for the Certificates to be authorized is 3.00%. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds. Such estimated maximum interest rate is provided as a matter of information but is not a limitation on the interest rate at which the bonds, or any series thereof, may be sold. The maximum maturity date of the Certificates to be authorized is August 1, 2051.



STAFF REPORT

MEETING DATE: May 25, 2021

AGENDA ITEM: 9D

TITLE:

Consider action to approve Resolution No. R-2021-53 of the City Council of the City of Bastrop, Texas, approving reappointment of Caroline A. McClimon, JD as Associate Judge, Bastrop Municipal Court, City of Bastrop; naming the appointed Judge to a term of two (2) years; authorizing the City Manager to execute a contract; attached as Exhibit A; providing for a repealing clause; and establishing an effective date.

AGENDA ITEM SUBMITTED BY:

Tracy Waldron, Chief Financial Officer

BACKGROUND/HISTORY:

In March 2019, the city issued a Request for Qualifications for an additional Associate Judge position. The Associate Judge position is to relieve the Presiding Judge of jail magistrate on the weekends and facilitates court in the Presiding Judge's absence. The court currently has two Associate Judges appointed to facilitate these duties as needed.

The initial contract for Judge McClimon was for a term of two years. She is up for re-appointment.

Section 30.00006 of the Texas Government Code provides that the term of office for municipal judge's must be for a definite term of two or four years.

Section 5.02 of the City of Bastrop Home Rule Charter states that the Judge of the Municipal Court shall be nominated by the Mayor and appointed by the Council.

Section 7.01.003(f) of the Bastrop City Code states each alternate judge shall be appointed for a term of two (2) years.

FUNDING SOURCE:

N/A

RECOMMENDATION:

Tracy Waldron, CFO, recommends approval of Resolution R 2021-53 approving reappointment of Caroline A. McClimon, JD as Associate Judge, Bastrop Municipal Court, City of Bastrop; naming the appointed Judge to a term of two (2) years; authorizing the City Manager to execute a contract; attached as Exhibit A; providing for a repealing clause; and establishing an effective date.

ATTACHMENTS:

- Resolution 2021-53

RESOLUTION NO. R-2021-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS APPROVING REAPPOINTMENT OF CAROLINE A. MCCLIMON, JD AS ASSOCIATE JUDGE, BASTROP MUNICIPAL COURT, CITY OF BASTROP; NAMING THE APPOINTED JUDGE TO A TERM OF TWO YEARS; AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT, ATTACHED AS EXHIBIT A; PROVIDING FOR A REPEALING CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Section 30.00006 of the Texas Government Code provides that the term of office for municipal judges “must be for a definite term of two or four years.”; and

WHEREAS, Section §5.02 of the City of Bastrop Home Rule Charter states that the Judge of the Municipal Court “shall be nominated by the Mayor and appointed by the Council”; and

WHEREAS, Section 7.01.003(f) of the Bastrop City Code states “each alternate judge shall be appointed for a term of two (2) years; and

WHEREAS, the City Council of the City of Bastrop, Texas has determined that it is in the best interest of the City of Bastrop and for the orderly operation of the City of Bastrop Municipal Court to reappoint Caroline A. McClimon, JD as Associate Municipal Court Judge.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1: The City hereby reappoints, under the authority of §5.02 of the City of Bastrop Home Rule Charter and Section 7.01.003 of the Bastrop City Code, Caroline A. McClimon, JD to the position of Associate Municipal Court Judge for a term of two (2) years.

Section 2: The City Manager is hereby authorized to execute a contract for Associate Municipal Court Judge services between the City of Bastrop, Texas and Caroline A. McClimon, JD (attached as Exhibit A) as well as all other necessary documents related to this contract.

Section 3: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 4: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND APPROVED by the City Council of the City of Bastrop, Texas
this 25th day of May 2021.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

EXHIBIT A

STATE OF TEXAS §
COUNTY OF BASTROP §

AGREEMENT BETWEEN THE CITY OF BASTROP
AND
CAROLINE A. MCCLIMON, JD

This agreement is effective the 25th day of May 2021, between the City of Bastrop, acting through its duly elected City Council of the City of Bastrop and Caroline A. McClimon, JD.

WITNESSETH:

WHEREAS, pursuant to the authority granted to the City Council through **the City Charter** and the laws of the State of Texas, the City Council of the City of Bastrop has appointed Caroline A. McClimon, JD as Associate Municipal Court Judge; and

WHEREAS, the parties desire to enter into a written agreement setting forth all terms, conditions, and obligations of the parties;

NOW, THEREFORE, in consideration of the mutual covenants and promises, the parties agree as follows:

I. TERM

- 1.1 The term of this Agreement shall be for two (2) years to run the portion of such unexpired term as may remain at the time of the appointment, unless sooner terminated as provided by the terms of this Agreement.

2. SCOPE OF AGREEMENT

- 2.1 The purpose of this Agreement is to engage Judge McClimon for the express purpose of serving the City of Bastrop, Texas, as the City's Associate Municipal Court Judge.
- 2.2 Judge McClimon shall perform all functions of the Municipal Court Judge of the City of Bastrop, Texas, as set forth in the current or revised **Charter of the City of Bastrop** as required by **The Code of the City of Bastrop, as amended**, by applicable State law, as it now exists or may be amended in the future, and the **Texas Code of Judicial Conduct**.
- 2.3 The City of Bastrop's regular Municipal Court shall be held at Bastrop Municipal Court located at 104 Grady Tuck Lane, Bastrop, Texas 78602. However, the City of Bastrop reserves the right to designate days of the week, hours, and alternate locations where the Municipal Court may be held in the event that facility should not be available.

EXHIBIT A

- 2.4 The City Council shall have the power to create and establish additional Municipal Courts, with the same or separate jurisdictions, and to appoint an additional Magistrate for each Court so established.
- 2.5 Judge McClimon agrees to provide prompt, courteous, efficient, and professional services in the performance of her duties.
- 2.6 Judge McClimon shall deal with the administrative services of Municipal Court solely through the Presiding Judge, Municipal Court Clerk or the City Manager.
- 2.7 In the event Judge McClimon is unable to act for any reason, the Council may appoint an Alternate Municipal Court Judge to act in the Judge's place.
- 2.8 Judge McClimon shall meet with the Presiding Judge, City Attorney, City Manager, Director of Planning and Community Development, City Prosecutor, and the Chief of Police, or such officials' respective designees, on request, to discuss procedures within the Municipal Court.

3. SALARY AND BENEFITS

- 3.1 Judge McClimon shall be deemed an independent contractor of the City.
- 3.2 The City agrees to pay Judge Carver the following flat rates: one hundred and fifty dollars (\$150) per event (i.e., jail magistrate trips), four hundred dollars (\$400) for each half day Judge McClimon conducts court and fifty dollars (\$50) per overnight warrant Judge McClimon processes on behalf of the City. The City agrees to pay Judge McClimon within 15 business days of receiving an invoice for services received.
- 3.3 Judge McClimon shall pay all applicable local, state, federal taxes, including income tax, withholding tax, social security tax, and pension contributions, if any.
- 3.4 The City agrees to pay Judge McClimon a daily rate of \$400 and her travel and expenses to attend the Texas Municipal Courts Education Center ("TMCEC") judges training, up to a maximum of three (3) days annually. Judge McClimon is required to attend the TMCEC judges training each year during the term of this contract.

EXHIBIT A

4. TERMINATION

- 4.1 Judge McClimon shall serve at the pleasure of the City Council. The City may terminate Judge McClimon at any time without cause, and without notice, as allowed by law.
- 4.2 Judge McClimon may terminate this Agreement at any time, with or without notice.
- 4.3 Judge McClimon shall waive all claims for compensation if not claimed within thirty (30) days for the date of the termination of this Agreement.

5. GENERAL PROVISIONS

- 5.1 If any provision of this Agreement shall, for any reason, be held to violate any applicable law, the invalidity of such a specific provision of this Agreement shall not be deemed to invalidate any other provisions of this Agreement, which shall remain in full force and effect unless removal of the invalid provisions destroy the legitimate purposes of this Agreement, in which event the parties shall deem this Agreement canceled.
- 5.2 The paragraph headings used in this Agreement are descriptive only and shall have no legal force or effect.
- 5.3 This Agreement represents the entire agreement by and between the parties, except as otherwise provided in this Agreement, and it may not be changed except by written amendment duly executed by all parties.
- 5.4 This Agreement shall be subject to and governed by the laws of the State of Texas. Any and all obligations or payments are due and payable in the City of Bastrop, Bastrop County, Texas.

IN WITNESS WHEREOF, the City Council of the City of Bastrop, by and through the Mayor, has caused this Agreement to be executed and that upon execution thereof, it shall be deemed the act and deed of the City of Bastrop.

[SIGNATURES FOLLOW ON PAGE 4]

EXHIBIT A

CITY OF BASTROP, TEXAS

BY: _____
Paul A. Hofmann, City Manager

BY: _____
Caroline A. McClimon, JD, Associate Municipal Court Judge

ATTEST: _____
Ann Franklin, City Secretary



STAFF REPORT

MEETING DATE: May 25, 2021

AGENDA ITEM: 9E

TITLE:

Consider action to approve the first reading of Ordinance No. 2021-52, of the City Council of the City of Bastrop, Texas, amending Chapter 12 – Traffic and Vehicles, to adopt article 12.14 Motor-Assisted Scooters, Electric Bicycles and Bicycles equipped with GPS; and providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; proper notice and meeting, and move to include on the June 8, 2021, consent agenda for a second reading.

STAFF REPRESENTATIVE:

Clint Nagy, Chief of Police

BACKGROUND/HISTORY:

The City of Bastrop Police Department and the City of Bastrop Attorney's office was asked to recommend an ordinance for adoption regarding Motor-Assisted Scooters, Electric Bicycles and Bicycles equipped with GPS. Motor-Assisted Scooters, Electric Bicycles and Bicycles equipped with GPS, if used properly, can be an effective way to travel for short distances within the city, especially during times of increased congestion. However, to ensure public safety and welfare, the operation of these types of vehicles must comply not only with normal regulations regarding vehicles but with special safety regulations detailed in this article that are intended to protect the operator, passengers, pedestrians, and other individuals operating motor vehicles on the roadways. In addition, business operating rules are detailed in this article that are intended to protect the public and the city.

POLICY EXPLANATION:

The Texas Transportation Code Chapter 551 regulates the use of scooters and electric bicycles. Regulations of scooters and electric bikes are similar, but not the same. Chapter 551 has separate sections for each of these vehicles; it also contains regulations stating what a local government may or may not regulate.

Motor-Assisted Scooters, Electric Bicycles and Bicycles equipped with GPS for a fee regulation is necessary to establish the rules for the safe operation of these vehicles and to protect the safety and convenience of pedestrians and others who might be impacted by their use.

FUNDING SOURCES:

N/A

RECOMMENDATION:

Clint Nagy, Chief of Police recommends approval of the first reading of Ordinance No. 2021-52, of the City Council of the City of Bastrop, Texas, amending Chapter 12 – Traffic and Vehicles, to adopt article 12.14 Motor-Assisted Scooters, Electric Bicycles and Bicycles equipped with GPS; and providing for findings of fact, adoption, repealer, severability, and enforcement; establishing an effective date; proper notice and meeting, and move to include on the June 8th, 2021, consent agenda for a second reading.

ATTACHMENTS:

- Ordinance 2021-52
- Exhibit "A" Article 12.14
- PowerPoint Presentation



ORDINANCE NO. 2021-52

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING CHAPTER 12 – TRAFFIC AND VEHICLES, TO ADOPT ARTICLE 12.14 – MOTOR-ASSISTED SCOOTERS, ELECTRIC BICYCLES, AND BICYCLES EQUIPPED WITH GPS.; AND PROVIDING FOR FINDINGS OF FACT, ADOPTION, REPEALER, SEVERABILITY, AND ENFORCEMENT; ESTABLISHING AN EFFECTIVE DATE; AND PROPER NOTICE AND MEETING.

WHEREAS, the City of Bastrop, Texas (“City”) is a Home-Rule City acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of Bastrop, Texas has reviewed the Police Chief’s recommendations and has determined it is desirable to regulate the operation of motor-assisted scooters, electric bicycles, and bicycles equipped with a GPS, which are rented for a fee, to ensure public safety, and pursuant to the Texas Transportation Code; and,

WHEREAS, Texas Transportation Code Sections 551.106 and 551.352 authorizes the governing body of a municipality to regulate and control the operation of motor-assisted scooters and electric bicycles within the city’s legal boundaries and on its public streets and sidewalks to ensure the public safety of the community, including the operation of companies renting these vehicles to consumers within the City; and

WHEREAS, the use of motor-assisted scooters, electric bicycles, and bicycles equipped with a GPS can help to reduce overall emissions and their use is an eco-friendly or ‘green’ alternative to traditional passenger vehicles; and

WHEREAS, motor-assisted scooters, electric bicycles, and bicycles equipped with a GPS are not normally equipped with many of the traditional safety features that are customarily required or found on more commonly-used motor vehicles; and

WHEREAS, passenger ejection and injuries can be reduced in an urban setting by requiring additional safety equipment and providing rules of operation; and

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

WHEREAS, the City Council finds it necessary to regulate motor-assisted scooters, electric bicycles, and bicycles equipped with a GPS in order to preserve health, property, good government, and order in a Home-Rule municipality as defined under Chapter 54 of Local Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS THAT:

SECTION 1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

SECTION 2. ADOPTION

Chapter 12, Article 12.14 of the City of Bastrop Code of Ordinances is hereby adopted and shall read in accordance with *Attachment "A"*, which is attached hereto and incorporated into this Ordinance for all intents and purposes.

SECTION 3. REPEALER

All ordinances, resolutions, 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 4. SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 5. ENFORCEMENT

The City shall have the power to administer and enforce the provisions of this ordinance as may be required by governing law. Any person violating any provision of this ordinance is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this ordinance and to seek remedies as allowed by law and/or equity.

SECTION 6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

SECTION 7. OPEN MEETINGS

It is hereby 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.

READ & ACKNOWLEDGED on First Reading on the 25th day of May 2021.

READ & APPROVED on the Second Reading on the _____ 2021.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney

Bastrop Code of Ordinances

Chapter: TRAFFIC AND VEHICLES

**Article 12.14: MOTOR-ASSISTED SCOOTERS,
ELECTRIC BICYCLES, AND BICYCLES EQUIPPED WITH GPS**

Sec. 12.14.001 - Definitions:

- 1) **Bicycle Equipped with GPS** means a device that a person may ride and that is propelled by human power and has two tandem wheels, at least one of which is more than 14 inches in diameter, which has a global positioning system (GPS) to determine the geographic location of the bicycle.
- 2) **Director** means the director of the department designated by the city manager to enforce and administer this article and includes representatives, agents or department employees designated by the director.
- 3) **Dockless vehicle** means an electric bicycle, or a motor assisted scooter that is available for use for a fee.
- 4) **Electric bicycle** means an electric bicycle as defined in Texas Transportation Code § 664.001 (as may be amended).
- 5) **Fleet manager** means the person responsible for the daily operations of a dockless vehicle service.
- 6) **Motor-assisted scooter** means a motor-assisted scooter as defined in Texas Transportation Code § 551.351 (as may be amended).
- 7) **Permit agreement** means the written agreement between the City and a person for an operating permit which authorizes the operation of a service providing dockless vehicles for compensation.
- 8) **Permit holder** means the person who owns the operation if a sole proprietorship, or the person who has been designated as managing the operation if any other entity, of a service providing dockless vehicles for compensation.
- 9) **Person** means an individual, partnership, corporation, company, association, or other legal entity.
- 10) **Rider** means a person operating a motor-assisted scooter, an electric bicycle, or a bicycle equipped with a GPS.

This article does not apply to a moped or motorcycle; a motorized mobility device (Transportation Code Section 542.009); an electric personal assistive mobility device, such as electric wheelchairs or other medical mobility devices (Transportation Code Section 551.201); a neighborhood electric vehicle (Transportation Code Section 551.301); or a golf cart or all-terrain vehicle (Transportation Code Section 551.401).

Sec. 12.14.002 - Operation and parking of motor-assisted scooters, electric bicycles, and bicycles equipped with GPS.

(a) Operation of motor-assisted scooters.

- (1) Riders must always yield to pedestrians.
- (2) Riders may ride on streets which have a speed limit of thirty-five (35) miles per hour or less. Riders must obey all state and City traffic laws.
- (3) Riders operating or in control must be at least sixteen (16) years of age.
- (4) Riders may not have any passengers. Only one person may be on the scooter when it is being operated.
- (5) The wearing of a helmet is encouraged, but not required.
- (6) It is unlawful for a rider to operate a motor-assisted scooter under the influence of alcohol or drugs.
- (7) It is unlawful for a rider to use a portable wireless communication device while operating a vehicle.

(b) Operation of electric bicycles, and bicycles equipped with GPS.

- (1) Riders must always yield to pedestrians.
- (2) Riders may not ride on sidewalks.
- (3) Riders must obey state and City traffic laws.
- (4) Riders operating or in control must be at least sixteen (16) years of age.
- (6) It is unlawful for a rider to use a portable wireless communication device while operating a bicycle.
- (7) The wearing of a helmet is encouraged, but not required.
- (8) It is unlawful for a rider to operate an electric bicycle under the influence of alcohol or drugs.

(c) Parking of motor-assisted scooters, electric bicycles, and bicycles equipped with GPS.

- (1) It is unlawful for riders to park dockless vehicles on streets, except in areas designated by the City by paint, decals, or signs.
- (2) Riders of dockless vehicles may park dockless vehicles upright on sidewalks in a manner that does not impede the normal and reasonable pedestrian access on a sidewalk, or in any manner that would reduce the minimum clear width of a sidewalk to less than (4) feet.
- (3) Riders of dockless vehicles may not park dockless vehicles in a manner that blocks any American with Disabilities Act (“ADA”) access to sidewalks or streets.
- (4) It is unlawful for a rider to park a dockless vehicle on sidewalks at the following locations:
 - a. Within eight (8) feet of commercial or pedestrian loading zones, or disabled parking zones.

- b. Within four (4) feet of street fixtures that require pedestrian access, including but not limited to benches.
- c. Within eight (8) feet of curb ramps, entryways and driveways.
- d. Within eight (8) feet of a building entrance.
- f. On trails, creek ways, including in any City park.

Sec. 12.14.003 - Colliding with pedestrians on sidewalk.

- (a) No person, while riding a motor-assisted scooter, electric bicycle, or bicycle equipped with a GPS, upon any sidewalk of the City, shall collide with any pedestrian, or cause any pedestrian to leave the sidewalk to avoid a collision with such vehicle.

Sec. 12.14.004 - Required equipment of motor-assisted scooters, electric bicycles.

- (a) Riders may not operate motor-assisted scooters or electric bicycles at nighttime unless the vehicle is equipped with:
 1. A lamp on the front of the vehicle that emits a white light visible from a distance of at least five hundred (500) feet in front of the vehicle; and
 2. A red reflector that is visible when directly in front of lawful upper beams of motor vehicle headlamps from all distances from fifty (50) to three hundred (300) feet to the rear of the vehicle, or a lamp that emits a red light visible from a distance of five hundred (500) feet to the rear of the vehicle.
- (b) Riders may not operate motor-assisted scooters or electric bicycles without a working bell, horn, or other sound mechanism.
- (c) Riders may not operate dockless vehicles between the hours of 11:00 p.m. and 6:00 a.m., and permit holders shall make dockless vehicles inoperable during these hours.

Sec. 12.14.005 - Dockless vehicle for hire permit agreements.

- (a) A person must register and obtain a permit agreement from the City, and pay any applicable fees, prior to providing a dockless vehicle for any compensation, including but not limited to any money, thing of value, payment, consideration, donation, gratuity, or profit.
- (b) To obtain a permit agreement, a person must submit an application to the City on a form provided by the City Secretary for that purpose. The application must contain the following, including any additional information requested for motor-assisted scooters or electric bicycles requirements established by the City:
 - (1) The business name, street address, mailing address, email address, and telephone number of the applicant, with the addressing being in the city limits or within one hour response time of the city limits;
 - (2) A non-refundable annual business permit fee of \$500.00;
 - (3) A non-refundable annual permit fee of \$50.00 for each dockless vehicle which is to be operated within the City limits of the Bastrop;

- (4) The name, phone number and email address of the fleet manager. Any change in this information must be reported to the City Secretary within twenty-four (24) hours of the change;
 - (5) A phone number for the public to report improperly parked vehicles and other violations, which must be posted on each dockless vehicle;
 - (6) The address of the fixed facilities to be used in the operation, if any, and the address of the applicant's headquarters, if different from the address of the fixed facilities;
 - (7) Documentary evidence from an insurance company indicating that such insurance company has bound itself to provide the applicant with the liability insurance required by this article;
 - (8) Documentary evidence of payment of ad valorem taxes on property within the City, if any, to be used in connection with the operation of the proposed dockless vehicle program;
 - (9) Documentary evidence from a bonding or insurance company or a bank indicating that the bonding or insurance company or bank has bound itself to provide the applicant with the performance or irrevocable letter of credit required by this article;
 - (10) The number and the types of dockless vehicles to be operated; and
 - (11) An agreement to indemnify the City.
- (c) A permit agreement expires 12 months from the date it is issued. An applicant may renew a permit agreement following the process in this section.
 - (d) A permit agreement is non-transferrable. This regulation should not be construed to impede the continuing use of trade names.

Sec. 12.14.006 - Issuance, renewal, suspension and revocation of permit agreements.

- (a) The City shall refuse to issue or renew a permit agreement if the applicant:
 - (1) Does not meet the requirements in the permit application, including failing to meet any requirements established by the City;
 - (2) Intentionally or knowingly makes a false statement as to a material matter in an application for a permit agreement; or
 - (3) Has been convicted twice within a 12-month period for a violation of this article or has had a permit agreement revoked, by any other local government, within two (2) years of the date of application.
- (b) If the City determines that a permit agreement should be denied, the City shall notify the applicant or operator in writing that the application is denied and include in the notice the specific reason or reasons for denial and a statement informing the applicant or operator of the right to, and the process for, appeal of the decision.
- (c) The City shall revoke a permit agreement if the City determines that the permit holder has:
 - (1) Made a false statement as to a material matter in the application concerning the operating authority permit;
 - (2) Failed to maintain the insurance required by this article;

- (3) Operated dockless vehicles in excess of the number authorized by the permit agreement;
or
- (4) Failed to pay a fee required by this article.
- (d) After revocation of an operating authority permit, an operator is not eligible for another permit for a period of up to two (2) years, depending on the severity of the violation resulting in the revocation.
- (e) Any person whose application for a permit agreement or renewal of a permit agreement is denied by the City, or an operator whose permit agreement has been revoked or suspended by the City, may file an appeal with the City, who shall forward the notice of appeal with the City Manager or the City Manager's designee, for appointment of an independent hearings officer to preside over the appeal:
 - (1) The hearings officer shall conduct a hearing on the matter within thirty (30) days of the request for the hearing unless one of the parties requests a continuance for good cause.
 - a. Every person who appeals shall have the right to appear in person or through an attorney;
 - b. Every person who testifies at a hearing shall testify under oath, the person who appealed and the City have the right to produce evidence, and subpoena and call witnesses; and
 - c. The burden of proof is on the City by a preponderance of the evidence that the decision of the City should be upheld.
 - (2) The hearings officer shall render a decision within thirty (30) days of the conclusion of the hearing.
 - (3) The hearings officer shall have the sole authority for upholding or overruling the action of the City which was appealed.
 - (4) The decision of the hearings officer shall be final.

Sec. 12.14.007 - Dockless vehicle operations.

- (a) Permit holders shall display on each dockless vehicle permitted under this article the emblem of the permit holder, a unique identification number, and a 24-hour phone number for customers and citizens to report safety concerns, make complaints, ask questions, or request a dockless vehicle be relocated.
- (b) The fleet manager, or a designated representative, shall be available by the phone number provided on the application, seven (7) days a week between 8:00 a.m. and 5:00 p.m. to accept calls from the City.
- (c) Permit holders shall not attach any personal property (other than dockless vehicles), fixtures, or structures to the public right-of-way without the separate written permission of the City. Any permission to place items in the public right-of-way must be incorporated into the permit.
- (d) Permit holders shall provide the City electronic access to the current list of dockless vehicles available for rent in the City, which includes the unique identification number for each vehicle.

- (e) Permit holders shall educate customers regarding the law applicable to riding, operating, and parking a dockless vehicle. A permit holder's application must provide information notifying the user that:
 - (1) The use of helmets is encouraged for the safety of the drivers.
 - (2) The legal parking of dockless vehicles.
 - (3) The legal operation of dockless vehicles, including the duty to yield to pedestrians.
 - (4) The areas where riding and parking are prohibited.
- (f) Notices of violations or broken vehicles:
 - (1) Permit holders shall have one hour after receiving notice of a violation, from any source, to correct violations for a dockless vehicle being parked in an area prohibited under this article; for other violations the permit holder has two (2) hours after receiving notice to correct the violation.
 - (2) Permit holders are required to lock vehicles reported as broken, from any source, and must remove the vehicle within two (2) hours.
 - (3) After the time for correcting a violation has expired, the City may remove and impound a vehicle that is parked in violation of this article or broken. The permit holder must pay the City a fee of fifty dollars (\$50.00) to obtain the return of each vehicle impounded.
 - (4) City staff, and other persons authorized by City staff, may remove dockless vehicles parked in prohibited areas, dockless vehicles blocking ADA facilities, or dockless vehicles located within areas identified consistent with section 12.14.002 in violation of this article, or that are identified as broken, immediately and without notice of violation to a permit holder, in which case the City may not impose an impound fee.
 - (5) Notwithstanding the above, the City has the authority to identify areas where vehicles must be removed to accommodate special events, construction, and maintenance work performed by the downtown public improvement district. The City shall have the authority to establish the time for any required removal and any subsequent deployment.

Sec. 12.14.008 - Insurance.

- (a) A permit holder shall procure and keep in full force and effect insurance coverage in accordance with this section, through a policy or policies written by an insurance company that:
 - (1) Is authorized to do business in the State of Texas;
 - (2) Is acceptable to the City; and
 - (3) Does not violate the ownership or operational control prohibition described in this section.
- (b) The insured provisions of the policy must name the City and its officers and employees as additional insureds, and the coverage provisions must provide coverage for any loss or damage that may arise to any person or property by reason of the operation of a dockless vehicle.
- (c) A permit holder shall maintain, at a minimum, the following insurance coverages:

- (1) The commercial general liability insurance must provide single limits of liability for bodily injury (including death) and property damage of one million dollars (\$1,000,000.00) for each occurrence, with a two million dollars (\$2,000,000.00) annual aggregate.
 - (2) If a permit holder will utilize motor vehicles in its operations, the business automotive liability insurance must cover owned, hired, and non-owned vehicles, with a combined single limit for bodily injury (including death) and property damage of five hundred thousand dollars (\$500,000.00) per occurrence.
 - (3) Worker's compensation insurance with statutory limits.
 - (4) Employer's liability insurance with the following minimum limits for bodily injury by:
 - a. Accident, five hundred thousand dollars (\$500,000.00) per each accident; and
 - b. Disease, five hundred thousand dollars (\$500,000.00) per employee with a per policy aggregate of five hundred thousand dollars (\$500,000.00).
- (d) Insurance required under this article must:
- (1) Include a cancellation provision in which the insurance company is required to notify the City in writing not fewer than thirty (30) days before cancelling the insurance policy (for a reason other than non-payment) or before making a reduction in coverage;
 - (2) Include a cancellation provision in which the insurance company is required to notify the City in writing not fewer than ten (10) days before cancelling for nonpayment;
 - (3) Cover all dockless vehicles during the times that the vehicles are deployed or operating in furtherance of the permit holder's business;
 - (4) Include a provision requiring the insurance company to pay every covered claim on a first-dollar basis;
 - (5) Require notice to the City if the policy is cancelled or if there is a reduction in coverage; and
 - (6) Comply with all applicable federal, state, and local laws.
- (e) No person who has a twenty (20) percent or greater ownership interest in the permit holder may have an interest in the insurance company.
- (f) A permit holder may not be self-insured.
- (g) Any insurance policy required by this article must be on file with and approved by the City prior to the issuance of a permit agreement and must remain in effect during the term of the permit agreement.

Sec. 12.14.09 - Indemnification.

- (a) Nothing in this article shall be construed as an assumption of liability by the City for any injuries (including death) to persons, pets, or property which may result from the operation of a dockless vehicle, motor-assisted scooter, electric bicycle, or bicycle equipped with a GPS, by an authorized driver; and

- (b) It is expressly understood and agreed that a permit holder is and shall be deemed to be an independent contractor and the permit holder is responsible to all parties for its respective acts or omissions, and that City shall in no way be responsible, therefore.

Sec. 12.14.010 - Enforcement.

- (a) The City shall enforce this article.
- (b) Upon observing a violation of this article, the City shall take all necessary actions to ensure effective regulation of dockless vehicles.
- (c) The City may, with or without notice, inspect any dockless vehicle operating under this article to determine whether the dockless vehicle complies with this article and other applicable laws.

Sec. 12.14.011 - Criminal offenses.

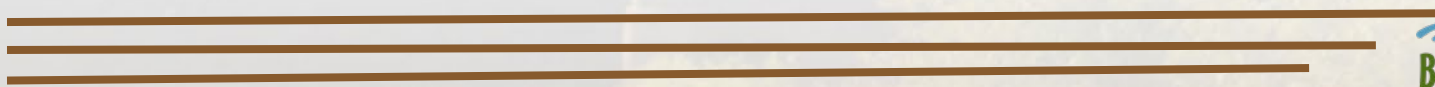
- (a) A person commits an offense if, within the City, the person operates or causes or permits the operation of a dockless vehicle service without a valid permit agreement issued under this article.
- (b) A person commits an offense if the person violates a provision of this article.
- (c) A culpable mental state is not required for the commission of an offense under this article. A separate offense is committed each day in which an offense occurs.
- (d) Prosecution for an offense under this article does not prevent the use of other enforcement remedies or procedures applicable to the person charged with the conduct or involved in the offense.
- (e) Any person who violates any of the provisions of this article shall be guilty of a Class C Misdemeanor and upon adjudication or conviction thereof shall be fined in an amount not to exceed five hundred dollars (\$500.00) for each offense.

Bastrop Police Department

Motor-Assisted Scooters
Electric Bicycles
and
Bicycles with GPS

Clint Nagy, Chief of Police

May 25, 2021



Purpose

- Provide convenient and safe means of travel within the city by scooter or E-Bike.
- Protect our citizens and visitors on our roadways.
- Public Safety is the number one priority.
- This ordinance does not regulate personal scooters or E-bikes but state law may.

Definitions

- **Bicycle equipped with GPS** means a bicycle which has a global positioning system to determine the geographic location of the bicycle.
- **Electric bicycle** means a bicycle that has fully operable pedals and an electric motor of fewer than 750 watts with a top speed of 28 miles per hour or less.
- **Motor assisted scooter** means a self-propelled device with two wheels, braking, motor not exceeding 40 centimeters that allows the passenger to stand or sit and can be powered by human power alone.



Electric Scooter



Electric Bike

Sample Business Design

- Vehicles are staged at locations throughout a city.
- Vehicles are rented and unlocked by the customer via apps at about \$1 to start and 15-30 cents every additional mile.
- Vehicles are left at the rider's last destination until new rider uses the vehicle.
- Each night an employee or subcontractor gathers the vehicles using GPS and charges them at a warehouse or shop and then returns them to a predetermined staging area each morning.

Operational Regulations Scooters

- 16 years of age or older.
- May operate on streets 35 mph or lower.
- No passengers are permitted.
- Helmets are encouraged but not required.
- Yield to pedestrians and obey all traffic laws.

Operational Regulations E-Bikes

- 16 years of age or older.
- May operate on streets 35 mph or lower.
- No passengers are permitted.
- Helmets are encouraged but not required.
- Yield to pedestrians and obey all traffic laws.
- May **not** operate on any sidewalk.

Parking Regulations for all vehicles

- Unlawful to park on streets except where designated by the City.
- May not impede sidewalks or reduce width of sidewalks to less than 3 feet.
- May not block American Disability Act (ADA) access of any type.
- Unlawful to park within 8 feet of loading zones, disabled parking zones, driveways, curb ramps, or building entrances.
- Unlawful to park within 4 feet of benches.
- May not park on trails in any park.

Required Equipment for all vehicles

Nighttime

- Front lamp capable of being seen from 500 feet away.
- Red reflector or a red lamp at the rear of the vehicle.
- Working bell, horn, or other sound mechanism.
- Ability to make the vehicles inoperable between 11:00 PM and 6:00 AM.

Registration with the City

- Application is forwarded to the City Secretary.
- Annual business permit fee of \$500 and annual permit fee of \$50 per vehicle. (Permit is valid for 1 year and cannot be transferred.)
- Evidence of insurance.
- Provide information on fleet management and number of vehicles to the City.
- Agreement to indemnify the City.

Permit Holders Responsibilities:

- Each vehicle shall display the emblem of the permit holder, unique ID, and 24-hour number for reporting safety concerns.
- Shall ensure that a fleet manager is available by phone seven days a week from 8AM to 5:00PM
- Obtains permission in the permit when placing vehicles in public right-of-way.

Permit Holders Responsibilities;

Upon the City's request;

- Must have 1-hour response time to notice of violations of parking.
- Must have 2-hour response time to other violations.
- Lock or remove broken vehicles within two hours.

Permit Holders Responsibilities Insurance

- Commercial general liability for bodily injury, death and property of at least 1 million dollars with 2-million-dollar aggregate.
- Fleet vehicles must be insured for \$500,000 bodily injury, death and property damage per occurrence.
- Workman's compensation insurance and employee liability insurance of at least \$500,000.
- Permit holders are independent contractors.

Reasons to Deny Registration or Revoke a Permit

- Not meeting registration or business requirements.
- Making false statements on applications.
- Violation of this article twice or more within 12 months.
- Failing to maintain insurance.
- Operating in violation of the permit.

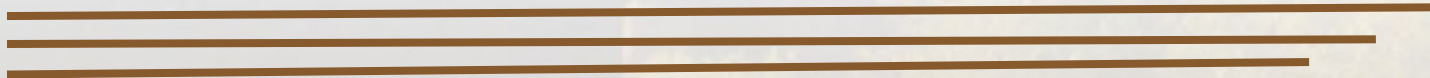
Permit Holders Responsibilities Education

- Educate the Public on:
 - ✓ The use of helmets for safety.
 - ✓ Legal parking of vehicles.
 - ✓ Legal operation, including duty to yield to pedestrians.
 - ✓ Areas where riding is prohibited.

Violations:

- City may inspect all vehicles at any time to confirm compliance.
- City may remove vehicles and impound them after the response time has expired and a fee of \$50 may be charged per violation.
- City may remove vehicles immediately if they are in violation, but a fee will not be imposed.
- Violations are a Class “C” Misdemeanor not to exceed \$500.

Questions?





STAFF REPORT

MEETING DATE: May 25, 2021

AGENDA ITEM: 9F

TITLE:

Consider action to approve Resolution No. R-2021-55 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Sarah Rooney to Place 3 on the Parks Board/Public Tree Advisory Board, as required in Section 3.08 of the City's Charter, and establishing an effective date.

AGENDA ITEM SUBMITTED BY:

Paul A. Hofmann, City Manager

BACKGROUND/HISTORY:

Section 3.08, Mayor and Mayor Pro Tem, of the City Charter states that the Mayor shall appoint members to all City boards and commissions, subject to confirmation by the City Council.

FISCAL IMPACT:

N/A

RECOMMENDATION:

Recommend approval of Resolution No. R-2021-55 of the City Council of the City of Bastrop, Texas confirming appointment by the Mayor of Sarah Rooney to Place 3 on the Parks Board/Public Tree Advisory Board, as required in Section 3.08 of the City's Charter, and establishing an effective date.

ATTACHMENTS:

- Resolution

RESOLUTION NO. R-2021-55

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS
CONFIRMING APPOINTMENT BY THE MAYOR TO THE PARKS
BOARD/PUBLIC TREE ADVISORY BOARD, AS REQUIRED IN SECTION 3.08
OF THE CITY'S CHARTER; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, Section 3.08, Mayor and Mayor Pro Tem, of the City Charter states that the Mayor shall appoint members to all City boards and commissions, subject to confirmation by the City Council; and

WHEREAS, Mayor Connie Schroeder has appointed Sarah Rooney to Place 3 on the Parks Board/Public Tree Advisory Board; and

WHEREAS, City Council must confirm this appointment as required by the City Charter.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Section 1: That Mayor Connie Schroeder has appointed Sarah Rooney to Place 3 on the Parks Board/Public Tree Advisory Board.

Section 2: That the City Council of the City of Bastrop confirms Mayor Schroeder's appointment of Sarah Rooney to Place 3 on the Parks Board/Public Tree Advisory Board.

Section 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.

DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 25th day of May, 2021.

APPROVED:

Connie B. Schroeder, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney