

CITY OF LIBERTY
SPECIAL ELECTION – MAY 5, 2018
PROPOSED 2018 HOME RULE CHARTER AMENDMENTS

Proposition A.

SHALL SECTION 1.02 OF THE CITY CHARTER REGARDING BOUNDARIES BE AMENDED TO READ AS FOLLOWS:

Section 1.02. Boundaries

~~The boundaries of the City of Liberty are hereby established as follows: Beginning at the northeast corner of the East Liberty Town League, Abstract 359, Liberty County, Texas; thence west along the north boundary line of said East Liberty Town League, Abstract 359, to the east bank of the Trinity River; thence along the east bank of the Trinity River with its meanders to a point on said bank which would be in an easterly projection of the north line of the North Liberty Town League, Abstract 356; thence west along said projection of said north line of said North Liberty Town League, Abstract 356, and the north boundary line of said North Liberty Town League, Abstract 356, to a point in the north line of said North Liberty Town League, which point is one thousand three hundred eighty and two tenths (1380.2) feet west of an old buggy axle at the northeast corner of the Louis Green et al twenty-acre tract out of the northeast corner of the M. Wassam one hundred sixty acre tract in said North Liberty Town League, which said point is also one thousand seven hundred seventy one and four hundredths (1,771.04) feet east of a concrete marker located in the north boundary line of the North Liberty Town League, which said marker is at the northwest corner of said Wassam one hundred sixty acre tract; thence south 0 deg. 31' east to a point in the south line of the South Liberty Town League, Abstract 358; thence east along the south boundary line of the South Liberty Town League, Abstract 358, to the southeast corner of the said South Liberty Town League; thence across the Trinity River to the southwest corner of the East Liberty Town League, Abstract 359; thence in an easterly direction along the south line of the said East Liberty Town League to its southeast corner; thence north along the east boundary line of the said East Liberty Town League, Abstract 359, to the place of beginning.~~

The boundaries of the City of Liberty shall be the same as have been heretofore established and now exist and those boundaries established and changed hereafter in all annexation ordinances and proceedings of the City of Liberty, Texas, filed in the Office of the City Secretary of Liberty, Texas.

Proposition B.

SHALL SECTION 4.06 OF THE CITY CHARTER RELATING TO THE APPOINTMENT OF A PUBLIC HEALTH AUTHORITY BE REMOVED FROM THE CITY'S CHARTER.

Section 4.06. Health authority.

~~(a) — Appointment and qualifications of health authority. The city council shall appoint a city health authority who shall be a licensed physician qualified to practice medicine in the State of Texas and a resident of the City of Liberty.~~

~~(b) — Administration. The city manager shall be responsible to the city health authority for the general administration of state and local laws relating to public health within the jurisdiction of the city.~~

~~(c) — Duties of health authority. The city health authority shall advise with the city council on a program of public health; shall cooperate in the preparation of a sanitary code; shall cooperate with nearby cities on problems of health and sanitation; shall cooperate with the commissioner's court of Liberty County and its agencies, and with the state health department and other departments of the state government in matters pertaining to health and sanitation.~~

~~(d) — Sanitary code. The city council shall adopt a sanitary code. Such code shall provide for monthly inspections to assure that its provisions are complied with; said inspections to be made in the manner designated, and by persons selected by the city manager. The powers of the city council to establish necessary rules and regulations for the purpose of this code shall include, but not to the exclusion of other powers, the following:~~

~~(1) — The power to establish quarantine stations and pest houses and to adopt ordinances necessary for the control of contagious diseases.~~

~~(2) — The power to regulate, license and inspect persons, firms, corporations, common carriers or associations operating any public place where food or drink or candies or manufactured sweets are served, sold or otherwise handled within the corporate boundaries of Liberty; to prescribe health regulations with reference to any employee or workers used in any such place; to regulate, license and inspect the sanitary condition of such places; and to condemn all articles not wholesome or fit for human consumption.~~

~~(3) — The power to define all nuisances and prohibit the same within the city and outside the city limits for a distance of five thousand (5,000) feet; to prohibit the pollution or stoppage of any stream, draw or drainage ditch; to work in cooperation with the drainage commissioner for the improvement of the drainage system and mosquito control.~~

~~(4) — The power to license, regulate and inspect producers, carriers and retailers of meat and dairy products inside or outside the city limits from which meat or milk is furnished to the residents of the city.~~

~~(5) — The power to require property owners to make connections with the sanitary sewer system; to provide for fixing penalties for failure to make such connections and to provide for fixing a lien against any property owner's premises who fails or refuses to make such connection and to charge the cost against said owner and make it a personal liability.~~

~~(6) — The power to inspect restrooms open to the public and require their maintenance in a condition of cleanliness.~~

~~(7) The power to provide for the fixing of penalties for failure of any person, firm, or corporation to comply with such rules and regulations as are prescribed by the city council under the provisions of this article or the laws of the State of Texas, it being the intent of this charter to vest in the city council not only the powers expressly enumerated in this article but all other powers, expressed or implied, granted under the general laws and constitution of the State of Texas in matters pertaining to health and sanitation.~~

Proposition C.

SHALL SECTION 5.07 OF THE CITY CHARTER REGARDING CONDUCTING AND CANVASSING ELECTIONS BE AMENDED TO READ AS FOLLOWS:

Section 5.07. Conducting and canvassing elections.

The election judges and other necessary election officials for conducting all such elections shall be appointed by the city council, **except for said times when the City Council chooses to contract with another governmental subdivision to conduct the election.** ~~The election judges shall conduct the elections, determine, record and report the results as provided by the general election laws of Texas. Within five (5) days after an election, the city council shall meet, open the returns, canvass and officially declare the result of the election as to candidates and questions and issue certificates of election to candidates elected as hereinbefore provided.~~ **The City shall conduct the elections and report the results as provided by the general election laws of the State of Texas. The returns of every municipal election shall be delivered forthwith to the City Secretary. The Council shall canvass the returns and declare the official results of the election as prescribed by state law.**

Proposition D.

SHALL SECTION 8.02(b) OF THE CITY CHARTER REGARDING THE DEPARTMENT OF CITY PLANNING AND ZONING BE AMENDED TO READ AS FOLLOWS:

Section 8.02(b). Department of city planning and zoning.

- (b) On or after May 1 of each year council shall appoint resident qualified voters of the City of Liberty who shall constitute the city planning and zoning commission for three-year terms, and until their respective successors shall have been appointed and qualified, as follows: two (2) regular members first year; two (2) regular members the following year; and one (1) regular member plus two (2) alternates the following year. **Individuals may only serve three consecutive terms on the planning and zoning commission. Individuals may serve more than (3) three terms if said terms are non-consecutive.** Said commissioners shall serve without pay and shall adopt such rules and regulations as they deem best governing their actions, proceedings and deliberations and time and place of meeting. Any member of the city planning and zoning commission may be removed by the city council for any cause deemed sufficient for his removal in the interest of public service; but only after a public hearing before the city council of charges publicly made, if demanded by such member within ten (10) days. The purpose and object of said planning and

zoning commission is to act as an advisory board to the city council relating to all nature of public improvements, civic improvements, city planning, opening, widening and changing of streets, routing of public utilities, controlling and regulating traffic upon the public streets and ways of the City of Liberty, and such other matters relating to city improvements as the city planning and zoning commission and the city council of the City of Liberty may deem beneficial to the City of Liberty.

Proposition E.

SHALL SECTION 9.04 OF THE CITY CHARTER REGARDING NOTICE REQUIREMENTS FOR THE BUDGET BE AMENDED TO READ AS FOLLOWS:

Section 9.04. Notice of public hearing on budget.

The City Council shall follow Texas law regarding notice and hearing requirements for setting its budget. ~~At the meeting of the city council at which the budget is submitted, the city council shall fix the time and place of a public hearing on the budget and shall cause to be published in the official newspaper of the City of Liberty, a notice of the hearing setting forth the time and place thereof at least five (5) days before the date of such hearing.~~

Proposition F.

SHALL SECTION 9.18 OF THE CITY CHARTER REGARDING TAXES BE AMENDED TO READ AS FOLLOWS:

Section 9.18. Taxes; when due and payable.

All taxes due the City of Liberty shall be payable at the office of the city assessor-collector and may be paid at any time after the tax rolls for the year have been completed and approved, which shall be not later than October 1. Taxes shall be paid on or before **the due date set by Texas law** ~~February first of the year following assessment~~, and all such taxes not paid prior to such date shall be deemed delinquent and shall be subject to such penalty and interest as provided by state law.

Proposition G.

SHALL SECTION 13.13(a) OF THE CITY CHARTER REGARDING THE CHARTER REVIEW COMMISSION BE AMENDED TO READ AS FOLLOWS:

Section 13.13(a). Charter review commission.

- (a) The city council shall appoint, at its first regular meeting in January of each odd numbered year, a charter review commission of five (5) citizens of the City of Liberty. **Said individuals may only serve for two (2) consecutive terms on the charter review commission. Individuals may serve more than (2) two terms if said terms are non-consecutive.**