

**AGENDA**  
**SNYDER CITY COUNCIL REGULAR MEETING**  
**JANUARY 9, 2017**  
**CITY COUNCIL CHAMBERS**  
**1925 24th STREET**  
**SNYDER, TEXAS**  
**5:30 P.M.**

If the Council should determine that a closed or executive meeting or session as authorized by the Open Meetings Act, Chapter 551, Govt. Code, Vernon's Texas Codes Annotated, should be held, the Council may convene into a closed or executive meeting or session concerning any and all subjects and for any and all purposes permitted by Section 551.071 through 551.088 including:

Section 551.071 consultation with attorney, 551.072 deliberation regarding real property, 551.073 deliberation regarding prospective gift, 551.074 personnel matters, 551.075 conference with employees, 551.076 deliberation regarding security devices, 551.084 exclusion of witness from hearing, 551.086 certain public power competitive matters, 551.087 economic development negotiations, and 551.088 certain licensing or certifications test items.

**WELCOME VISITORS**

All visitors are encouraged and welcome to speak at City Council Meetings during the visitors forum for up to five minutes. At all other times, visitors must be recognized by the chair to speak.

Thank you,

Mayor Tony Wofford

I. INVOCATION:

II. RECOGNIZE EMPLOYEE OF THE MONTH:

III. RECOGNIZE VISITORS:

IV. VISITORS/CITIZENS FORUM:

V. MINUTES:

1. Consider And Act On Approval Of The Minutes Of The Regular Council Meeting, December 5, 2016.(Pages 1-5)

Documents:

[MIN161205.PDF](#)

VI. BIDS:

1. Consider And Act On Awarding The Bid For Three Police Vehicles For Department 16.

(Pages 6-11)

Documents:

[POLICE VEHICLE BIDS.PDF](#)

VII. OLD BUSINESS:

1. Consider And Act On Adoption On Second Reading Ordinance No. 2047 Establishing And Implementing A Program To Charge Mitigation Rates For The Deployment Of Emergency And Non-Emergency Services As Captioned Below:(Pages 12-22)

**AN ORDINANCE ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES BY THE SNYDER FIRE DEPARTMENT FOR SERVICES PROVIDED/RENDERED.**

Documents:

[ORD2047.PDF](#)

2. Consider And Act On Adoption On Second Reading Ordinance No. 2048 Amending Chapter 4 Business Regulations By Adding A New Article 4.08 Regulation Of Game Rooms And Amusement Redemption Machines As Captioned Below:(Pages 23-32)

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SNYDER, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SNYDER BY AMENDING CHAPTER 4 BUSINESS REGULATIONS BY ADDING A NEW ARTICLE 4.08 REGULATION OF GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES; REGULATING GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES; REQUIRING CITY LICENSING OF GAME ROOMS; REQUIRING CITY TAGS OF AMUSEMENT REDEMPTION MACHINES; SETTING FORTH A PENALTY; PROVIDING FOR SEVERABILITY AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER.**

Documents:

[ORD2048.PDF](#)

VIII. NEW BUSINESS:

1. Consider And Act On Approval The Adoption Of The Master Comprehensive Plan For The City Of Snyder.
2. Consider And Act On Approval Of Resolution R170109 Approving The Dedication Of The Drone Zone As Captioned Below:(Page 33)

**A RESOLUTION OF THE CITY OF SNYDER CITY COUNCIL TO DEDICATE THE DRONE ZONE A 36 ACRE PARK WITHIN THE SNYDER INDUSTRIAL PARK AS A PARK WITH CONTINUED USE AS A DRONE FLYING AND TRAINING FACILITY.**

Documents:

[RESOLUTION R170109.PDF](#)

3. Consider And Act On Approval Of Appointment Of A New Board Member To The Zoning Board Of Adjustment To Replace John Shirley.

IX. EXECUTIVE SESSION: Time\_\_\_\_\_

1. Council May Act In Open Session On The Following Item:
2. Consultation With Attorney. (Section 551.071 Texas Government Code.) Further Consultation With Attorney Regarding EEOC Claim #846-2016-13898 And Corresponding Threatened Litigation Based On Discrimination Claim Made By Former Employee.

X. RECONVENE IN OPEN SESSION: Time\_\_\_\_\_

1. Consider And Act On Consultation With Attorney.

XI. EXECUTIVE SESSION: Time\_\_\_\_\_

1. Council May Act In Open Session On The Following Item:
2. Consultation With Attorney. (Section 551.071 Texas Government Code.)

XII. RECONVENE IN OPEN SESSION: Time\_\_\_\_\_

1. Consider And Act On Consultation With Attorney.

XIII. EXECUTIVE SESSION: Time\_\_\_\_\_

1. Council May Act In Open Session On The Following Item:
2. Deliberation Regarding Real Property. (Section 551.072 Texas Government Code.)

XIV. RECONVENE IN OPEN SESSION: Time\_\_\_\_\_

1. Consider And Act On Deliberation Regarding Real Property.

XV. INFORMATION:

1. Monthly Personnel Report.(Page 34)

Documents:

[PERSONNEL REPORT 170109.PDF](#)

2. Election Schedule. Horario De Eleccion.(Pages 35-36)

Documents:

[ELECTION SCHEDULE.PDF](#)

3. Election Day Is May 6, 2017. Dia De Eleccion Es El 6 De Mayo De 2017.
4. Next Regular Council Meeting February 6, 5:30 P.m.

XVI. ADJOURNMENT:

1. Consider Motion To Adjourn.

**MINUTES OF THE REGULAR COUNCIL MEETING**

**CITY OF SNYDER**

**DECEMBER 5, 2016**

A Regular Meeting of the City Council of the City of Snyder, Texas was called to order at 5:30 p.m. by Mayor Tony Wofford with the following members present:

Councilmember Rodney Dupree  
Councilmember Vernon Clay  
Councilmember Steve Rich  
Councilmember Tom Strayhorn  
Councilmember Steve Highfield  
Councilmember Luann Burleson  
Attorney for the City, Bryan Guymon

**ITEM I. INVOCATION:**

The invocation was given by Tom Strayhorn.

**ITEM II. RECOGNIZE EMPLOYEE OF THE MONTH:**

Mayor Tony Wofford recognized Pablo Medina as employee of the month.

**ITEM III. RECOGNIZE VISITORS:**

Mayor Tony Wofford recognized the following visitors:

Bill Crist, Snyder Daily News; Bill Lavers, Development Corporation of Snyder; Kristy Tyra, Oncor Electric; Kathy Green, Snyder; Dakota Green, Snyder.

**ITEM IV. VISITORS/CITIZENS FORUM:**

No Discussion.

**ITEM V. MINUTES:**

1. Councilmember Steve Highfield made the motion to approve the minutes of the Regular Council Meeting, November 7, 2016.

The motion was seconded by Councilmember Steve Rich and passed with the following vote:

Ayes: All members present voted yes.

Noes: None.

**ITEM VI. BIDS:**

1. Councilmember Vernon Clay made the motion to approve the purchase of a Vibratory Soil Compactor Model CS56B for Dept. 25 from Warren Cat through Buy Board for \$154,197.98.

The motion was seconded by Councilmember Rodney Dupree and passed with the following vote:

Ayes: All members present voted yes.

Noes: None.

**ITEM VII. OLD BUSINESS:**

1. Councilmember Rodney Dupree made the motion to adopt on second reading Ordinance No. 2045 reducing the speed of motor vehicles along segment of FM 1607 (37<sup>th</sup> Street) as captioned below:

**AN ORDINANCE OF THE CITY OF SNYDER, SCURRY COUNTY, TEXAS, REDUCING THE SPEED OF MOTOR VEHICLES ALONG THE RECENTLY ANNEXED TERRITORY WITHIN THE FM 1607 (37<sup>TH</sup> STREET) RIGHT OF WAY WITHIN THE CITY LIMITS OF THE CITY OF SNYDER, PROVIDING FOR PENALTIES THEREOF.**

The motion was seconded by Councilmember Steve Highfield and passed with the following vote:

Ayes: All members present voted yes.

Noes: None.

2. Councilmember Tom Strayhorn made the motion to adopt on second reading Ordinance No. 2046 establishing effective cross-connection and backflow prevention to Title 30 TAC Chapter 290 as captioned below:

**AN ORDINANCE ESTABLISHING AND MANAGING AN EFFECTIVE CROSS-CONNECTION CONTROL PROGRAM; AMENDING CHAPTER 3 OF THE CODE OF ORDINANCES OF THE CITY OF SNYDER, TEXAS, BY ADDING ARTICLE 3.09 RULES RELATED TO CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION. ADDING SECTIONS 3.09.001, 3.09.002, 3.09.003 AND 3.09.004, WITH REGARD TO THE ADDITION OF LOCAL PROVISIONS AFFECTING THE 2015 INTERNATIONAL PLUMBING AND RESIDENTIAL CODES AND RELATING TO BACKFLOW PREVENTION AND THE ESTABLISHMENT OF A BACKFLOW PREVENTION DEVICE TESTING PROGRAM CONFORMING TO THE REQUIREMENTS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING FOR PUBLICATION.**

The motion was seconded by Councilmember Steve Rich and passed with the following vote:

Ayes: All members present voted yes.

Noes: None.

**ITEM VIII. NEW BUSINESS:**

1. Councilmember Rodney Dupree made the motion to approve appointing the following members to a Committee to review the City of Snyder's Zoning Ordinance.

Committee Members: Abel DeLoera, Keith Matthies, Dan Evans, Bill Lavers, Sarah Jamison, Ronnie Wooldridge, Eddie Williams, Vernon Clay, Tom Strayhorn, Cody Wall, Earl Ware, Dan Hicks, City Manager Merle Taylor, Zoning Administrator Vick Chambers, Public Works Director Eli Torres, Police Chief Terry Luecke, and Fire Chief Perry Westmoreland.

The motion was seconded by Councilmember Vernon Clay and passed with the following vote:

Ayes: All members present voted yes.  
Noes: None.

2. Councilmember Steve Rich made the motion to approve the final plat of the Snyder Junior High Subdivision.

The motion was seconded by Councilmember Tom Strayhorn and passed with the following vote:

Ayes: All members present voted yes.  
Noes: None.

3. Councilmember Steve Rich made the motion to approve on first reading Ordinance No. 2047 establishing and implementing a program to charge mitigation rates for deployment of emergency and non-emergency services as captioned below:

**AN ORDINANCE ESTABLISHING AND IMPLEMENTING  
A PROGRAM TO CHARGE MITIGATION RATES FOR  
THE DEPLOYMENT OF EMERGENCY AND NON-  
EMERGENCY SERVICES BY THE SNYDER FIRE  
DEPARTMENT FOR SERVICES PROVIDED/RENDERED.**

The motion was seconded by Councilmember Rodney Dupree and passed with the following vote:

Ayes: Councilmembers Rodney Dupree, Steve Rich, Steve Highfield, Tom Strayhorn and Luann Burleson.  
Noes: Councilmember Vernon Clay.

4. Councilmember Rodney Dupree made the motion to approve the Services Agreement with Fire Recovery USA, LLC to assist with billing services for emergency and non-emergency services provided by the City of Snyder Fire Department.

The motion was seconded by Councilmember Tom Strayhorn and passed with the following vote:

Ayes: Councilmembers Rodney Dupree, Steve Rich, Steve Highfield, Tom Strayhorn and Luann Burleson.  
Noes: Councilmember Vernon Clay.

5. Councilmember Steve Highfield made the motion to approve on first reading Ordinance No. 2048 amending Chapter 4 business regulations by adding a new article 4.08 regulation of game rooms and amusement redemption machines as captioned below:

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF SNYDER, TEXAS, AMENDING THE CODE OF  
ORDINANCES OF THE CITY OF SNYDER BY  
AMENDING CHAPTER 4 BUSINESS REGULATIONS BY  
ADDING A NEW ARTICLE 4.08 REGULATION OF GAME  
ROOMS AND AMUSEMENT REDEMPTION MACHINES;  
REGULATING GAME ROOMS AND AMUSEMENT  
REDEMPTION MACHINES; REQUIRING CITY  
LICENSING OF GAME ROOMS; REQUIRING CITY  
TAGS OF AMUSEMENT REDEMPTION MACHINES;  
SETTING FORTH A PENALTY; PROVIDING FOR  
SEVERABILITY AND CONTAINING OTHER  
PROVISIONS RELATED TO THE SUBJECT MATTER.**

The motion was seconded by Councilmember Vernon Clay and passed with the following vote:

Ayes: All members present voted yes.

Noes: None.

6. Councilmember Luann Burluson made the motion to approve the appointment of Henry Ramos to fill the unexpired term for John Lewis on the Planning and Zoning Commission Board.

The motion was seconded by Councilmember Vernon Clay and passed with the following vote:

Ayes: All members present voted yes.

Noes: None.

7. Councilmember Steve Highfield made the motion to table the appointment of a new Board Member to the Zoning Board of Adjustment to replace John Shirley until the next scheduled council meeting.

The motion was seconded by Councilmember Steve Rich and passed with the following vote:

Ayes: All members present voted yes.

Noes: None.

**ITEM IX. EXECUTIVE SESSION: Time – 6:47 p.m.**

Council may act in Open Session on the following item:

1. Deliberation regarding real property. (Section 551.072 Texas Government Code.)

**ITEM X. RECONVENE IN OPEN SESSION: Time – 7:00 p.m.**

1. No action taken regarding deliberation regarding real property.

**ITEM XI. EXECUTIVE SESSION: Time – 7:01 p.m.**

Council may act in Open Session on the following item:

1. Personnel Matters. (Section 551.074 Texas Government Code.) Evaluation of City Manager.

**ITEM XII. RECONVENE IN OPEN SESSION: Time – 8:24 p.m.**

1. No action taken regarding evaluation of City Manager.

**ITEM XIII. INFORMATION:**

1. Goals for City Manger 2016-2017.
2. Monthly Personnel Report.
3. Election schedule. Horario de eleccion.
4. Next Regular Council Meeting January 9, 5:30 p.m.
5. The Annual Christmas Party and Awards Ceremony will be Thursday, December 8 at 6:30 p.m. at Martha Ann Woman's Club.

**ITEM XIV. ADJOURNMENT:**

1. Councilmember Rodney Dupree made the motion to adjourn.

The motion was seconded by Councilmember Steve Rich and passed with the following vote:

Ayes: All members present voted yes.

Noes: None.

The meeting was adjourned at 8:27 p.m.

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Mayor

ATTEST:

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City Secretary

Approved: January 9, 2017.



**SNYDER POLICE DEPARTMENT  
INTER-OFFICE MEMO**

**DATE:** 01-04-2016  
**TO:** City Manager Merle Taylor  
**FROM:** Chief Terry Luecke  
**REFERENCE:** Police Vehicle Bids 2016/2017

In this year's budget (2016-2017) it was budgeted for the purchase of (3) vehicles for the Snyder Police Department. There will be two of the remaining Ford Crown Victoria police vehicle will also considered for trade-in towards the purchase of the new patrol units. Bids were received from the following (5) dealerships and they are as follows:

**Bid Tabulation - Police Vehicles**

<b>Dealership</b>	<b>Vehicle</b>	<b>Units Cost</b>	<b>Trade-ins</b>	<b>Total</b>
Wilson Motors 1101 E Coliseum Snyder, TX. 79549 Chuck Connally	2017 Ford Police Interceptor (Explorer)	\$86,813.67	\$2000.00	\$84,813.67
Caldwell Country 800 HWY 21 E Caldwell, TX 77836 Averyt Knapp	2017 Ford Police Interceptor (Explorer)	\$85,935.00	\$3,000.00	\$82,935.00
Caldwell Country 800 Hwy 21 E Caldwell, TX 77836 Averyt Knapp	2017 Chevrolet Tahoe Police Package	\$92,994.00	\$3000.00	\$89,994.00
Big Country 84 Bypass Snyder, TX 79549 Bill Dryden	2017 Chevrolet Tahoe Police Package	\$103,233.00	\$3000.00	\$101, 233.00
Blake Fulenwider 3925 Spur 84 Snyder, TX. 79439 Quintin Bass	2017 Dodge Durango Special Vehicle	\$84,522.93	\$4000.00	\$80,552.93

It is recommended that the bids submitted from Wilson Motors or Caldwell Country Ford be considered for the purchase of three (3) 2017 Ford Police Interceptor vehicle for the Snyder Police Department. With preference being given to Wilson Motors due to them being a local

vendor and there only being \$878.67 in difference between Wilson Motors bid and the Caldwell Country bid. The Dodge Durango does not meet the specification submitted for bid and the Durango is not widely used as a patrol unit. Currently there are not many reviews on the Durangos Special Service Vehicles compared to the Ford Explorers and Chevrolet Tahoes that have been and are currently widely used in Law Enforcement.

Sincerely Submitted

A handwritten signature in cursive script, appearing to read "Chief Terry Luecke".

Chief Terry Luecke  
Snyder Police Department  
400 37<sup>th</sup>  
Snyder, TX. 79549  
(325)573-0261

FAN 0064Y

TB7092

**CITY OF SNYDER, TEXAS**  
**Specifications**  
**2016/2017 Police Package SUV Vehicle**  
**Chevrolet Tahoe, Ford Explorer or Dodge Durango**

If the item you are bidding meets the specifications as detailed below, please check the blank space provided in the left hand column. If exceptions are made to these specifications, please state wherein your equipment does not meet the specifications.

The specifications listed are requirements and are intended to govern, in general, the size and type of vehicle desired. The City of Snyder reserves the right to evaluate variations from these specifications.

Check item below:

I. MAKE AND MODEL OF VEHICLE \_\_\_\_\_

II. EQUIPMENT REQUIREMENTS: TO INCLUDE BUT NOT LIMITED TO

A. ENGINE

1.  To be a minimum a V6 Eco Boost or equivalent

2.  Electronic fuel injection.

3.  Radiator, Heavy Duty, Maximum Capacity

B. TRANSMISSION

1.  Automatic transmission.

2.  Rear Wheel Drive or All Wheel Drive

3.  axle limited slip

C. EXTERIOR

1.  White

2.  Speed rated tires and wheel 15" minimum

3.  Full sized spare tire

INTERIOR

1.  Blue, black, or gray

2. \_\_\_ Bucket style seat or 40/20/40 front seats

3. \_\_\_ No factor console between front seats

4. \_\_\_ Vinyl rear seat

5. \_\_\_ Floor mats

**D. ELECTRICAL SYSTEM**

1. \_\_\_ Battery, 12 volt, Heavy Duty, Maximum Capacity

2. \_\_\_ Alternator, 12 volt, Heavy Duty, High Output, Minimum 150 Amp

**E. BRAKES**

1. \_\_\_ Power assist anti-locking braking system.

**F. STEERING**

1. \_\_\_ Power steering.

**G. AIR CONDITIONER/HEATER**

1. \_\_\_ Factory heater and defroster.

2. \_\_\_ Factory air conditioner with sufficient cooling with combined heater/defroster/air conditioning controls.

3. \_\_\_ Rear window defroster.

**H. GLASS**

1. \_\_\_ Factory tint

**I. SUSPENSION**

1. \_\_\_ Police Package Suspension

2. \_\_\_ Traction/Stability Control

**J. LIGHTS**

1. \_\_\_ All lights front, side, inside, and rear will conform with Federal Safety Standards

2. \_\_\_ Dome light having capability of directing light beam. (Map style lights)

3. \_\_\_ Spot Light (Driver's Side)

**K. SAFETY**

1. \_\_\_ Current state inspection sticker

2. \_\_\_ All required safety features and equipment considered standard to be included.

3. \_\_\_ The equipment will meet all current Federal Safety Standards.

**L. OTHER EQUIPMENT**

1. \_\_\_ AM/FM radio with compact disc.

2. \_\_\_ Electric Door locks, driver control of all locks.

3. \_\_\_ Tilt steering wheel

4. \_\_\_ Electronic speed control

5. \_\_\_ Mirror outside left and right hand, remote control

6. \_\_\_ Electric windows, driver controlled.

7. \_\_\_ Carpet, front and back

8. \_\_\_ Keyless entry

10. \_\_\_ Blue Tooth/ Hands free cell phone device.

11. \_\_\_ Backup camera (If standard in Police Package Vehicle)

**III. OTHER REQUIREMENTS**

1. \_\_\_ Must be factory authorized dealer capable of supplying service and parts from stock.

2. \_\_\_ The bidder shall list on a separate sheet of paper any variations from, or exceptions to, the conditions and specifications of this bid. This sheet shall be labeled "Exceptions to Bid Conditions" and shall be attached to the bid.

3. \_\_\_ The price, or prices, quoted shall include all transportation, assembly, and service charges fully prepaid to address at destination. Equipment shall be completed and ready for service.
4. \_\_\_ One (1) operator manual with each vehicle.
5. \_\_\_ WARRANTY-Warranty information to be submitted with the bid for 100 percent coverage for parts and labor and indicate length of time warranty with the warranty starting date being the date of acceptance of the equipment by the City of Snyder.
6. \_\_\_ MISCELLANEOUS  
This equipment shall be newest and latest design and standard equipment as shown on the manufacturer's current published specification sheet. The bidders must submit the latest printed specification sheets and literature on the equipment they propose to furnish. Prices quoted will be the firm and include all the costs including delivery to the City of Snyder. This equipment will be complete and ready for service.
7. \_\_\_ The City of Snyder reserves the right to accept the bid that is most advantageous to the City.
8. \_\_\_ Manufacturer's Statement of Origin for each unit must be received by the Director of Finance.
9. \_\_\_ Trade In : See Attached Information Sheets

**Note: The City of Snyder Police Department is looking at replacing 3 Police vehicles in this the 2016/2017 Budget year, so these specification listed above will be for the consideration of the replacement/purchase of 3 Police vehicles for this budget year. The three police vehicles that are in service now will be for trade in toward the purchase of the 3 new police package vehicles. Time will be needed between the time of purchase of the new vehicles for the removal of equipment from the trade-in vehicles that are still in service.**

## **OVERVIEW OF SNYDER FIRE DEPARTMENT BILLING FOR SERVICES PROGRAM**

Program Date Effective 2/1/2017

Ordinance # 2047 1<sup>ST</sup> Reading 12/5/16 2<sup>nd</sup> Reading Scheduled 1/2/17

It is the intent of this program to recover, when possible, a portion of the expenses related to providing services to companies and individuals who do not contribute to the operational expenses of the Snyder Fire Department through the paying of property taxes. While there are exceptions noted, the department will not otherwise knowingly submit a claim for reimbursement to the billing company, when the recipient of the services is a city/county tax payer. It is furthermore the intent of this program to bill only the insurance company, if any, of the individual or company. Should an insurance company deny the claim, the billing would not proceed unless noted in the exceptions below. Except as noted below, the City would only bill a company or individual in a case where the insurance company did make payment on the claim, but sent the money to the policy holder and not the City or their billing agent.

### **Exceptions:**

- **Hazardous Materials Responses** (including spills, fires & accidents). Example, petroleum fires, hydrocarbon and chemical fires and spills, gas release including pipeline incidents and similar scenarios. An attempt to collect from an insurance company will be made first. Should that fail, an individual or company may be billed directly at the discretion of the City. Should the FD lose equipment required for the incident management, or the incident require the use of copious amount of foam, spill control berms, and the such like, such will be itemized at the replacement cost in addition to other established fees.
- **Water Rescue Calls**, where the driver choses to driver around an official barricade warning of the danger. The individual may be billed directly at the discretion of the City.
- **Illegal Fires**. Defined as a response to a fire caused by any violation of a declared burn ban or other established code or ordinance. Example, intentional burning, and accidental fires resulting from failure to adhere to the provisions of the burn ban, such as failure to place a proper screen over a burn barrel, failure to provide a lookout and extinguishment measures when welding, etc. Fires caused by illegal use of fireworks. Fires started in an area restricted by ordinance or resolution. An individual or company may be billed directly at the discretion of the City.
- **Specialized Rescue Team**. Defined as the utilization of the technical rescue team and associated equipment for the extraction of victims from situations of high angle and confined space. An individual or company may be billed directly at the discretion of the City.
- **In the case of a Motor Vehicle Accident** or similar incident that involves multiple parties, it will be the intent of the FD to submit a claim when services are rendered to any non-tax paying party as a result of the incident. Should a tax paying individual be deemed "at fault" as initially determined by law enforcement the FD will submit a claim on the vehicle insurance of the party "at fault". If both parties involved pay taxes locally, no claim will be submitted. If a single vehicle accident and the party pays taxes locally, no claim will be submitted. Should any MVA result in a Haz-Mat scene, a claim may be submitted for the HazMat, even if all parties involved pay taxes locally. Should there be a discrepancy on who is "at fault" following a ruling by the court, and any such claims were submitted and attributed to the wrong party based on the "on scene at fault" determination by law enforcement, the claim can be withdrawn appropriately.

**SNYDER FIRE DEPARTMENT ESTABLISHED MITIGATION RATES PER CITY  
ORDINANCE # 2047**

**MOTOR VEHICLE INCIDENT/ACCIDENT/FIRE**

*The fire department is not a hazardous materials cleanup contractor, nor will they clean what is the normal responsibility of the tow service. The role of the FD is mitigation if possible, otherwise stabilization pending a contractor for cleanup and disposal.*

**Level 1 - \$435.00**

Provide hazardous materials assessment and scene stabilization. This will be the most common "billing level". This occurs almost every time the fire department responds to an accident/incident.

**Level 2 - \$495.00**

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up or mitigation, to include microbial foam application. We will bill at this level if the fire department has to mitigate any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

**Level 3 – CAR FIRE - \$605.00**

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and mitigation to the extent that is usual and customary by the fire department, gasoline or other automotive fluids that are spilled as a result of the accident/incident/fire.

**Extrication - \$1,305.00**

Includes heavy rescue tools, ropes, airbags, cribbing etc. This charge will be added if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

**HAZARDOUS MATERIALS RESPONSE** (Other than a small, routine Motor Vehicle Incident) *(Individuals/Companies may be billed for this service regardless of insurance or tax paying status)*

**Level 1 - \$700.00**

**Basic Response:** Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command. We will bill at this level if the fire department has to mitigate a spill within the limits of our personnel and resources. We will also bill at this level for the suppression of burning hazardous materials, to include oil tanks, pits, tires and the such like.

**Level 2 - \$2,500.00**

**Intermediate (Operations Level) Response:** Claim will include engine response, first responder assignment, hazmat assembled team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Incident stabilization ONLY pending appropriate agency response.



**FIRES / RESPONSES (Not Otherwise Referenced Here-in)**

**Assignment - \$400.00 per hour, per required engine / or appropriate apparatus.**

Includes:

- Scene Safety
- Company Officer Cause Determination (to determine if investigation needed)
- Fire / Hazard Control or Incident Stabilization
- Routine Use of Foam/Chemical (copious amounts will be itemized as an additional charge)

This will be the most common "billing level". This occurs almost every time the fire department responds to an incident.

*OPTIONAL: A fire department has the option to bill each fire as an independent event with custom mitigation rates. Itemized, per person, at various pay levels and for itemized products use.*

**MOBILE COMMAND POST UTILIZED - Billed at \$250 per hour.**

This includes the response and utilization of a dedicated Mobile Command Apparatus, and providing direction of the incident. This could include command, operations, safety, and administration of the incident.

**FIRE MARSHAL - Fire Investigation Team - \$275.00 per hour.**

*The claim begins when the Fire Investigator(s) respond(s) to the incident, and is billed for logged time only.*

**Includes:**

- Scene Safety
- Investigation
- Source Identification
- K-9/Arson Dog Unit
- Identification Equipment
- Mobile Detection Unit
- Fire Report

**ILLEGAL FIRES - \$400.00 per hour, per required engine / or appropriate apparatus.**

*(Individuals/Companies may be billed for this service regardless of insurance or tax paying status)*

**When a fire is started by any person or persons that requires a fire dpt response *during a time or season when fires are regulated or controlled by local or state rules, provisions or ordinances because of fire danger concerns, (IE, A BURN BAN).***

Such person or persons responsible will be liable for the fire department response at a cost not to exceed the actual expenses incurred by the fire department to respond and contain the fire, even if the FD does not extinguish the fire (exp, FD responds and the fire starter extinguishes the fire him/her self).

Similarly, if a fire is started where permits are required for such a fire and the permit was not obtained and the fire department is required to respond to contain the fire the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the fire department. The actual expenses will include direct labor, equipment costs and any other costs that can be reasonably allocated to the cost of the response. Other examples would include intentional burning, accidental fires resulting from failure to adhere to the provisions of the burn ban, such as failure to place a proper screen over an otherwise permitted burn barrel, failure to provide a lookout and proper extinguishment equipment when welding, grinding, cutting, etc. Any fire from a negligent action of the individual, company or representative during a burn ban.

This section would also include the **discharging of fireworks** during a burn ban, or the discharging of any prohibited firework device, when prohibited by any ordinance, state or local, at any time regardless of a burn ban, or the illegal discharging process of a firework even if the device is not otherwise regulated by type or burn ban (ie, discharging from a public roadway).

### **WATER INCIDENTS/RESCUE**

**Basic Response:** Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common "billing level". This occurs almost every time the fire department responds to a water incident.

**Billed at \$400 plus \$50 per hour, per rescue person.**

**Itemized Response:** FD reserves the option to bill each incident as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

**WATER INCIDENT/RESCUE where the driver choses to driver around an official barricade warning of the danger.** *(Individuals may be billed for this service regardless of insurance or tax paying status)*

**Billed at \$400 plus \$50 per hour, per rescue squad required.**

Claim will include engine response, first responder assignment, perimeter establishment, technical equipment, command, scene safety and operations. Should any technical equipment be lost or damaged in the incident, the individual will further be billed for the replacement cost of the equipment.

**SPECIALIZED RESCUE – HIGH ANGLE/CONFINED SPACE/TECHNICAL (other than water) (Individuals/Companies may be billed for this service regardless of insurance or tax paying status)**

**Itemized Response:** Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

**Minimum billed \$400 for the first response vehicle plus \$50 per rescue person.** Additional rates of \$400 per hour per response vehicle and \$50 per hour per trained rescue person.

**CREATING A LANDING ZONE on a Scene Already Responded to Above - \$200.00** Includes Air Care (multi-engine company response, mutual aid, helicopter). We will bill this additional amount any time a helicopter landing zone is created and/or is utilized to transport the patient(s) from a Motor Vehicle Incident we have responded to for above services.

**CREATING A LANDING ZONE on a Scene NOT Already Responded to in an Above Scenario- \$400.00**

Includes Air Care (multi-engine company response, mutual aid, helicopter). We will bill this amount any time a helicopter landing zone is created and/or is utilized to transport the patient(s) from an emergency scene, if the FD is called solely for the purpose of the safe operation of and LZ functions of the helicopter(s).

**ADDITIONAL ON-SCENE TIME / MISCELLANEOUS**

Engine / Other Appropriate Apparatus billed at \$400 per hour.

Truck billed at \$500 per hour.

Miscellaneous equipment billed at \$300.

**MITIGATION RATE NOTES**

The mitigation rates above are average "billing levels", and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department's "actual personnel expense" and not just a firefighter's basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

**LATE FEES**

If the invoice is not paid within 90 days, a Late Charge of 10% of the invoice, as well as 1.5% per month, as well as the actual cost of the collections, will be accessed to the responsible party.

**ORDINANCE NO. 2047**

**AN ORDINANCE ESTABLISHING AND IMPLEMENTING A PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES BY THE SNYDER FIRE DEPARTMENT FOR SERVICES PROVIDED/RENDERED.**

**WHEREAS**, the emergency and non-emergency services response activity to incidents continues to increase each year; Environmental Protection requirements involving equipment and training, and Homeland Security regulations involving equipment and training, creating additional demands on all operational aspects of the fire department services; and

**WHEREAS**, the fire department has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the fire department decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations, saving lives and reducing property and environmental damage; and

**WHEREAS**, raising real property tax to meet the increase in service demands would not be fair when the responsible party(s) should be held accountable for their actions; and

**WHEREAS**, the City Council of the City of Snyder desires to implement a fair and equitable procedure by which to collect said mitigation rates and shall establish a billing system in accordance with applicable laws, regulations and guidelines; Now, Therefore

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SNYDER:**

**SECTION 1:** The City of Snyder shall initiate mitigation rates for the delivery of emergency and non-emergency services by the fire department for personnel, supplies and equipment to the scene of emergency and non-emergency incidents as listed in "EXHIBIT A". The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR) as shown in "EXHIBIT A", which may include any services, personnel, supplies, and equipment and with baselines established by addendum to this document.

**SECTION 2:** A claim shall be filed to the responsible party(s) through their insurance carrier. In some circumstances, the responsible party(s) will be billed directly.

**SECTION 3:** The fire department's City Council may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not consistent with this Section, as they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.

**SECTION 4:** It is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in accordance with all legal requirements, and the Codified Ordinances of the City Council.

**SECTION 5:** This Ordinance shall take effect thirty days (30) from the date of adoption as permitted by law.

**PASSED AND APPROVED** on first reading this 5<sup>th</sup> day of December, 2016.

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Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

**PASSED AND ADOPTED** on second reading this 9<sup>th</sup> day of January, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

## EXHIBIT A

### **MITIGATION RATES BASED ON PER HOUR**

The mitigation rates below are average “billing levels”, and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

#### **MOTOR VEHICLE INCIDENTS**

##### **Level 1 - \$435.00**

Provide hazardous materials assessment and scene stabilization. This will be the most common “billing level”. This occurs almost every time the fire department responds to an accident/incident.

##### **Level 2 - \$495.00**

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

##### **Level 3 – CAR FIRE - \$605.00**

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and mitigation to the extent that is usual and customary by the fire department, gasoline or other automotive fluids that are spilled as a result of the accident/incident. The fire department is not a hazardous materials cleanup contractor, nor will they clean what is the normal responsibility of the tow service.

#### **ADD-ON SERVICES:**

##### **Extrication - \$1,305.00**

Includes heavy rescue tools, ropes, airbags, cribbing etc. This charge will be added if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

##### **Creating a Landing Zone - \$400.00**

Includes Air Care (multi-engine company response, mutual aid, and helicopter). We will bill at this level any time a helicopter landing zone is created and/or is utilized to transport the patient(s).

**Itemized Response:** The fire department has the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.

#### **ADDITIONAL TIME ON-SCENE**

Engine billed at \$400 per hour.

Truck billed at \$500 per hour.

Miscellaneous equipment billed at \$300.

#### **HAZMAT**

##### **Level 1 - \$700.00**

**Basic Response:** Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

**Level 2 - \$2,500.00**

**Intermediate Response:** Claim will include engine response, first responder assignment, hazmat assembled team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Incident stabilization pending appropriate agency response.

**Level 3 – \$5,900.00 (Currently the Snyder FD cannot provide this level)**

**Advanced Response:** Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - each additional hour @ \$300.00 per HAZMAT team.

**ADDITIONAL TIME ON-SCENE (for all levels of service)**

Engine billed at \$400 per hour.

Truck billed at \$500 per hour.

Miscellaneous equipment billed at \$300

**FIRE INVESTIGATION**

**Fire Investigation Team - \$275.00 per hour.**

**Includes:**

- Scene Safety
- Investigation
- Source Identification
- K-9/Arson Dog Unit
- Identification Equipment
- Mobile Detection Unit
- Fire Report

**The claim begins when the Fire Investigator responds to the incident and is billed for logged time only.**

**FIRES**

**Assignment - \$400.00 per hour, per required engine / or appropriate apparatus.**

**Includes:**

- Scene Safety
- Investigation
- Fire / Hazard Control

This will be the most common “billing level”. This occurs almost every time the fire department responds to an incident.

**OPTIONAL:** A fire department has the option to bill each fire as an independent event with custom mitigation rates.

**Itemized, per person, at various pay levels and for itemized products use.**

**ILLEGAL FIRES**

**Assignment - \$400.00 per hour, per required engine / or appropriate apparatus.**

When a fire is started by any person or persons that requires a fire department response during a time or season when fires are regulated or controlled by local or state rules, provisions or ordinances because of



pollution or fire danger concerns, such person or persons will be liable for the fire department response at a cost not to exceed the actual expenses incurred by the fire department to respond and contain the fire. Similarly, if a fire is started where permits are required for such a fire and the permit was not obtained and the fire department is required to respond to contain the fire the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the fire department. The actual expenses will include direct labor, equipment costs and any other costs that can be reasonably allocated to the cost of the response.

## **WATER INCIDENTS**

**Basic Response:** Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common “billing level”. This occurs almost every time the fire department responds to a water incident.

**Billed at \$400 plus \$50 per hour, per rescue person.**

**Itemized Response:** You have the option to bill each incident as an independent event with custom mitigation rates for each incident using itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized, per trained rescue person, plus rescue products used.

## **BACK COUNTRY OR SPECIAL RESCUE**

**Itemized Response:** Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

**Minimum billed \$400 for the first response vehicle plus \$50 per rescue person. Additional rates of \$400 per hour per response vehicle and \$50 per hour per rescue person.**

## **MOBILE COMMAND POST UTILIZED**

This includes the response and utilization of a Mobile Command Apparatus, and providing direction of the incident. This could include operations, safety, and administration of the incident.

**Billed at \$250 per hour.**

## **MISCELLANEOUS / ADDITIONAL TIME ON-SCENE**

Engine billed at \$400 per hour.

Truck billed at \$500 per hour.

Miscellaneous equipment billed at \$300.

## **MITIGATION RATE NOTES**

The mitigation rates above are average “billing levels”, and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department’s “actual personnel expense” and not just a firefighter’s basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

## **LATE FEES**

If the invoice is not paid within 90 days, a Late Charge of 10% of the invoice, as well as 1.5% per month, as well as the actual cost of the collections, will be assessed to the responsible party.

**ORDINANCE NO. 2048**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SNYDER, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SNYDER BY AMENDING CHAPTER 4 BUSINESS REGULATIONS BY ADDING A NEW ARTICLE 4.08 REGULATION OF GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES; REGULATING GAME ROOMS AND AMUSEMENT REDEMPTION MACHINES; REQUIRING CITY LICENSING OF GAME ROOMS; REQUIRING CITY TAGS OF AMUSEMENT REDEMPTION MACHINES; SETTING FORTH A PENALTY; PROVIDING FOR SEVERABILITY AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER.**

**WHEREAS**, the City Council of the City of Snyder, Texas, (“City”) recognizes that unregulated operation of game rooms and amusement redemption machines contribute to inappropriate and illegal activities which may include gambling, fraud, truancy, disorderly conduct and use of controlled substances; and

**WHEREAS**, the City is a home rule municipality that is duly authorized under the Texas Constitution, the laws of the state of Texas as well as pursuant to Sections 215.074, 215.075 and 217.042 Texas Local Government Code to address the negative effects of game rooms and amusement redemption machines in the manner set forth below; and

**WHEREAS**, City recognizes and desires through adoption of this ordinance to further the City’s interest in protecting the health, safety and welfare of its citizens; and

**WHEREAS**, the City Council has determined and does hereby now declare that the adoption of this ordinance is necessary to the health, safety and general welfare of the inhabitants of the City and to persons frequenting game rooms and using amusement redemption machines within the City, now therefore

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SNYDER, TEXAS:**

Section 1. That the facts and recitations set forth in the preamble of this ordinance are hereby declared true and correct.

Section 2. That the Code of Ordinances of the City of Snyder, Texas, is hereby amended by adding a new Article 4.08 Regulation of Game Rooms and Amusement Redemption Machines of Chapter 4 Business Regulations to provide as follows:

**“CHAPTER 4. BUSINESS REGULATIONS**

**Article 4.08. Regulation of Game Rooms and Amusement redemption Machines.**

**Sec. 4.08-001 – 4.08-199. Reserved**

**Sec. 4.08-200. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Amusement redemption machine* means:

- (1) A recreational machine that provides the user with an opportunity to receive something of value other than a right of replay and which complies with all applicable federal, state and local laws and regulations applicable to such machines.

(2) A skill or pleasure coin-operated machine that is designed, made and adapted solely for bona fide amusement purposes, and that by operation of chance or a combination of skill and chance affords the user an opportunity to receive exclusively non-cash merchandise prizes, toys, novelties, or a representation of value redeemable for those items.

(3) Any electronic, electromechanical or mechanical contrivance designed, made and adapted solely for bona fide amusement purposes if the contrivance rewards the player exclusively with non-cash merchandise, prizes, or novelties, or a representation of value redeemable for those items, that have a wholesale value available from a single play of the game or device of not more than ten times the amount charged to play the game or device once or \$5.00, whichever amount is less.

*Amusement redemption machine game room or game room* means any establishment, building, facility or other place where two or more amusement redemption machines, with the exception of excluded machines, are displayed or exhibited for public use.

*City official* means a police officer, code enforcement officer or building official of the City.

*Excluded machine* means:

(1) A machine that awards the user non-cash merchandise prizes, toys or novelties solely and directly from the machine, including claw, crane, or similar machines;

(2) A machine from which the opportunity to receive non-cash merchandise prizes, toys, or novelties, or a representation of value redeemable for those items, varies depending upon the user's ability to throw, roll, flip, toss, hit, or drop a ball or other physical object into the machine or a part thereof, including basketball, skeet ball, golf, bowling, pusher, or similar machines; or

(3) A machine or any device defined in V.T.C.A., Penal Code § 47.01 as a gambling device, or any activity prohibited or described in V.T.C.A., Penal Code Ch. 47.

*Game room owner or owner* means a person who has an ownership interest of at least 25 percent in a game room.

*Licensee* means any person, individual, firm, company, association, or corporation operating an amusement redemption machine game room in the City.

*Operational machine* means an amusement redemption machine that is ready to be played and which is accessible to the public.

*Permittee* means any person, individual, firm, company, association, or corporation maintaining, displaying for public patronage, or otherwise keeping for operation the public any gaming machine in the City.

Sec. 4.08-201. License required.

No person shall operate an amusement redemption machine game room in the City without first obtaining a license from the City, as required by this article. No license shall be issued until (1) the occupation tax has been paid for each amusement redemption machine within the premises, (2) the annual tag fee of the City of Snyder has been paid for each amusement redemption machine within the premises, and (3) the applicable game room license fee has been paid.

Sec. 4.08-202. Payment of annual inspection and license fee; issuance of license.

An owner, operator, or lessee of an amusement redemption machine game room shall be required to secure a license annually. An amusement redemption machine game room shall be required to secure a license by paying to the City an annual inspection and amusement redemption machine game room license fee in the amount of \$2,500.00. Upon payment of the license fee, payment of the annual tag fee of the City of Snyder for each amusement redemption machine within the premises, and compliance with all licensing requirements, the license shall be issued by the City.

Sec. 4.08-203. City Tags Required; Payment of annual City tag fees.

- (a) A tax permit issued by the State of Texas and all seals required by the State shall be securely affixed to each Amusement Redemption Machine.
- (b) A current tag issued by the City of Snyder shall be securely affixed to each Amusement Redemption Machine.
- (c) The annual tag fee of the City of Snyder for each Amusement Redemption Machine is Five Hundred Dollars (\$500.00), which fee shall be paid before a tag may be issued.
- (d) All tag fees shall be issued on the basis of a calendar year. Tag fees shall not be prorated. Tags issued at any time during a calendar year shall automatically expire on December 31.

Sec. 4.08-204. Term of license; jurisdiction; scope.

A license issued for an amusement redemption machine game room under this article:

- (1) Is an annual license which expires December 31 of each year unless it is suspended or cancelled earlier;
- (2) Is effective for a single place of business only;
- (3) Vests no property right in the licensee except to maintain, display for public patronage, and permit the use or skill or pleasure of amusement redemption machines in accordance with the terms and conditions of this article;
- (4) Shall automatically expire if the licensee thereof sells the property or the business, transfers equity to accomplish same, or otherwise disposes of amusement redemption machines; and
- (5) Is not assignable or transferable.

In addition, the City shall not refund any portion of a license fee after the license is issued, nor shall it prorate or reduce in amount any fee due to the City. Notwithstanding the foregoing, the initial license issued to an existing amusement redemption machine game room following the adoption of the ordinance from which this article is derived and the game room's compliance with the requirements of this article shall not expire until December 31, 2017. Thereafter, any such license shall expire as provided herein-above.

Sec. 4.08-205. Restrictions, regulations, controls, and limitations.

- (a) All building and fire code standards must be met. Inspection by building officials and the issuance of a certificate of occupancy shall be obtained before a license for an amusement redemption machine game room is issued.
- (b) Only one amusement redemption machine game room shall be permitted on any lot or in any single building, structure or strip center except for amusement redemption machine game rooms in existence as of the date this ordinance goes into effect and which do not meet this criteria; in which case full compliance

with this subsection shall be required within six (6) months of the effective date of this ordinance or upon abandonment of use at such location, whichever occurs first.

(c) No amusement redemption machine game room shall be situated within 1,000 feet of any church, school, daycare, or hospital except for amusement redemption machine game rooms in existence as of the date this ordinance goes into effect and which do not meet this criteria; in which case full compliance with this subsection shall be required within six (6) months of the effective date of this ordinance or upon abandonment of use at such location, whichever occurs first.

(d) The distance shall be measured in a straight line without regard to intervening objects or structures and from the nearest lot line of the amusement redemption machine game room seeking a license to the nearest lot line of the church, school, daycare, or hospital.

(e) No amusement redemption machines or related business activities shall be allowed to be situated and/or performed outdoors.

(f) The hours of operation for an amusement redemption machine game room shall be limited to the following hours:

(1) Monday through Thursday, open at 11:00 a.m. and close at 11:00 p.m.; and

(2) Friday through Sunday, open at 11:00 a.m. and close at 12:00 a.m.

(g) One parking space shall be provided for each two amusement redemption machines within the amusement redemption machine game room, plus one additional parking space for each employee per shift.

(h) The owner, operator, or manager of the licensed premises must be present to supervise the operation of the amusement redemption machine game room. The amusement redemption machine game room shall not be left unattended.

(i) Amusement redemption machines must be situated within the licensed premises as to be in full and open public view, which entails being visible to all patrons of the establishment.

(j) No person under the age of 21 years shall be permitted inside the building, structure, facility or space housing the amusement redemption machine game room.

(k) A sign stating that no one under the age of 21 is allowed inside the amusement redemption machine game room shall be posted in plain sight immediately inside the entrance stating that:

"No person under the age of 21 years shall be permitted inside the building, structure, facility or space housing the amusement redemption machine game room."

(l) An amusement redemption machine game room operator must be a person who is at least 21 years of age.

(m) The total number of operational amusement redemption machines allowed in one amusement redemption machine game room establishment shall be limited to the maximum number of 50 amusement redemption machine games. Any back-up, nonoperational or replacement amusement redemption machines shall be secured in a locked storage area or closet to which the public is not allowed to enter and such machines shall not be connected to electricity or be otherwise operational. The occupation tax on such back-up or be replacement amusement redemption machine games shall be paid annually regardless of whether such machines are used by the game room's patrons.

(n) The sale, purchase, possession or consumption of any alcoholic beverages (as defined by the Texas Alcoholic Beverage Code) inside an amusement redemption machine game room is prohibited. A sign stating that no alcoholic beverages are allowed inside the amusement redemption machine game room shall be posted in plain sight immediately inside the entrance stating that:

"No alcoholic beverages shall be permitted inside the building, structure, facility or space housing the amusement redemption machine game room."

(o) The owner, operator, or manager of the licensed premises shall mark each entrance to a Game Room with a sign which bears the words "GAME ROOM" in one and one-half inch (1 ½") or larger block letters and which is legible from a distance of at least twenty-five feet (25').

(p) Game rooms shall only be permitted in existing C-2 Commercial ("C-2"), M-1 Light Manufacturing ("M-1") or M-2 Heavy Manufacturing ("M-2") zoning districts. A person, including the manager, operator or owner of a game room, commits an offense if he or she operates or permits the operation, or establishment of a game room in any other zoning district of the City of Snyder.

(q) Nothing contained herein shall be construed or have the effect to license, permit, authorize or legalize any machine, device, table, or gaming machine, the keeping, exhibition, operation, display or maintenance of which is illegal or in violation of any ordinance of the City, any regulation of the county, any section of the penal code of this state, or the constitution of this state.

#### Sec. 4.08-206. Application for amusement redemption machine game room license.

An applicant for a license under the provisions of this article shall file with the City Secretary a written application on a form provided for that purpose by the City which shall be signed by the applicant, who shall be the owner of the amusement redemption machine game room sought to be licensed. A separate application must be filed for each location sought to be licensed. The following information is required in the application:

- (1) Name, address, telephone number, and driver's license number of the applicant if the applicant is a natural person;
- (2) Name, address, telephone number and driver's license number of all persons who own 25 percent or more interest in the amusement redemption machine game room;
- (3) Name, address, telephone number and driver's license number of all corporate officers, if any, of such business;
- (4) Name, address, telephone number of the business;
- (5) If incorporated, the name of the business registered with the Texas Secretary of State;
- (6) If a partnership, the name, address, telephone number and driver's license of each of the general and limited partners;
- (7) The trade name by which the applicant does business and a true and correct copy of the registration of the applicant's assumed name filed in the office of the county clerk, bearing the file mark or stamp that evidences its filing in that office;
- (8) The street address of the premises;

- (9) If applicant is not the owner of the premises, the applicant shall furnish the name, address, and telephone number of the property owner;
- (10) Name, address, and telephone number of the operator of the premises to be permitted;
- (11) Number of amusement redemption machines in the premises to be permitted and tagged and the serial number of each amusement redemption machine;
- (12) Whether a previous license of the applicant, or, if applicable, a corporate officer of the applicant, has been revoked within two years of filing of the application;
- (13) The previous occupation(s) of the applicant and, if applicable, all corporate officers and partners of the applicant within the preceding five years;
- (14) A notarized statement, under oath, that:
  - a. All the facts contained in the application are true and correct;
  - b. The amusement redemption machines are not and will not be used as gambling devices;
  - c. The location and operation of the amusement redemption machine game room will not violate any applicable deed restrictions;
  - d. The amusement redemption machine game room will be operated in accordance with all laws;
- (15) Name, address, and telephone number of an emergency contact person who can be reached after hours;
- (16) A floor plan of the amusement redemption machine game room interior depicting the layout of the amusement redemption machine game room interior specifically including, but not limited to, the location of all amusement redemption machines, coin operated machines or devices, the manager's station(s), restroom facilities, kitchen and bar facilities, if any, and all areas to which patrons will not be permitted; and
- (17) Any other plans that may be required by this Code.

Any failure to provide the documents required by this section shall be grounds for denial of the application to which it applies.

**Sec. 4.08-207. Renewal of amusement redemption machine game room license.**

(a) A license may be renewed for the following calendar year beginning October 1 of each year by filing a completed application for each license and paying the applicable fee set forth in this article. A renewal application shall be subject to the same requirements in this section as for a license application.

(b) Upon the expiration of a license, the licensee shall be required to obtain a renewal of the expired license if the licensee wishes to continue operating an amusement redemption machine game room. Failure to obtain the renewal within 30 days after expiration may require such person to pay an additional late fee in an amount equal to 20 percent of the fee as currently established or as hereafter adopted by City Council from time to time. Nothing herein authorizes the licensee to operate after the expiration of a license and before a renewal is effective.

**Sec. 4.08-208. Grounds for denial of license; applicants or licensees indebted to City.**

(a) The City shall refuse to approve issuance or renewal of a permit or licensee for one or more of the following reasons:

- (1) Any failure to provide the information required by this article;
- (2) A determination by the City that inaccurate, erroneous or incomplete information has been submitted;
- (3) A false statement as to a material matter made in an application for a license;
- (4) Revocation of a license, pursuant to this article, of the applicant or a co-owner or a corporate officer of the applicant within two years preceding the filing of the application;
- (5) Refusal or failure to pay the occupation tax on any amusement redemption machine;
- (6) Refusal or failure to pay the correct license fee amount;
- (7) Refusal or failure to pay the correct City tag fee amount provided for in this Article;
- (8) The applicant or a co-owner for such license has, within the past three years, been convicted of any violation of this article;
- (9) The applicant or a co-owner for such license has, within the past five years, been convicted of any violation of regulations adopted by Scurry County relating to game rooms; and/or
- (10) The applicant or a co-owner for such license has, within the past ten years, been convicted of a crime involving moral turpitude.

(b) The City shall not issue or renew a license under this article and shall suspend or cancel a license if it be determined that the applicant or licensee is indebted to the City for any fee, costs, penalties, or delinquent taxes.

**Sec. 4.08-209. Suspension or revocation of license for violation of article.**

(a) Power and authority. If any individual, company, corporation or association who owns, operates, exhibits, or displays any amusement redemption machine(s) in an amusement redemption machine game room in this City shall violate any provision of this article, the City shall have the power and authority to suspend or revoke the license(s) issued hereunder to any of the foregoing by giving written notice, stating the reason justifying such suspension or revocation, and the same shall be suspended or revoked ten days from date of such notice.

(b) Suspension. The City Manager or his designee shall suspend a license for a period not to exceed 30 days if he determines that a licensee or an employee of a licensee has:

- (1) Violated or is not in compliance with any of the provisions of this article;
- (2) Refused to allow or interfered with an inspection of the amusement redemption machine game room premises; or
- (3) Demonstrated an inability to operate or manage an amusement redemption machine game room in a peaceful and law-abiding manner thus necessitating action by law enforcement officers.

(c) Revocation for continuing violations. The City Manager or his designee shall revoke a license if a cause of suspension occurs and the license has been previously suspended within the preceding twelve months.

(d) Automatic revocation. The City Manager or his designee shall revoke a license if he determines that:

- (1) A licensee gave false or misleading information in the material submitted to the City during the application process;



(2) A licensee or an employee of a licensee knowingly allowed the possession, use, or sale of a controlled substance on the premises; or

(3) A licensee or an employee of a licensee knowingly operated the amusement redemption machine game room during a period of time when the licensee's permit was suspended.

(e) Effect of revocation. No license shall be issued within a period of one-year to anyone whose license has been revoked, except at the discretion of the City Manager or his designee. If the license of an individual, company, corporation, or association owning, operating, or displaying amusement redemption machines in this City is cancelled, such individual, company, corporation or association shall not operate, display or permit to be operated or displayed such amusement redemption machines in any amusement redemption machine game room until a new license is granted.

Sec. 4.08-210. Appeal from denial, suspension or revocation of license.

If the City manager or his designee refuses to approve the issuance of a license or the renewal of a license to an applicant, or suspends or revokes a license issued under this article, this action is final unless the applicant or licensee, within ten days after the receipt of written notice of the action, files a written appeal with the City Secretary, who shall, within ten days after the appeal is filed forward same to City Council for its consideration at a public meeting following a hearing. The City council shall, within 30 days, grant such hearing to consider the action. The City Council has authority to sustain, reverse, or modify the action appealed. The decision of the City Council is final.

Sec. 4.08-211. Display of license.

A valid license issued under this article for an amusement redemption machine game room shall be displayed at or near the entrance of the business premises, and such display shall be permanent and conspicuous.

Sec. 4.08-212. Inspections.

(a) The premises in which such amusement redemption machines are located shall conform to all building codes and fire prevention codes of the City and the Fire Marshal of the City and his assistants, the City inspector/code enforcement officer, and the chief building official may enter into the premises where such amusement redemption machines are located at any time during normal business hours for the purposes of inspecting said premises for fire hazards.

(b) All law enforcement personnel and the inspector/code enforcement officer of the City shall have the right to enter into said premises at any time during normal business hours for the purpose of inspection and enforcement of the terms of this article.

(c) The City shall have the authority to seal any amusement redemption machine located in any amusement redemption machine game room for which the occupation tax has not been paid. A fee in the amount of \$250.00 will be charged for the release of any machine sealed for non-payment of said occupation tax.

(d) The City shall have the authority to seal any amusement redemption machine located in any amusement redemption machine game room for which a license fee has not been paid. A fee in the amount in the amount of \$500.00 will be charged for the release of any machine sealed for non-payment of said license fee.

(e) The City shall have the authority to seal any amusement redemption machine located in any amusement redemption machine game room for which a City tag fee has not been paid. A fee in the amount in the amount of \$500.00 will be charged for the release of any machine sealed for non-payment of said license fee.

Sec. 4.08-213. Responsibility of licensee.

A licensee hereunder shall not permit any of the following activities within the licensed premises:

- (1) The operation of any amusement redemption machine by a person younger than 21 years of age;
- (2) Gambling by any person;
- (3) The possession of gambling materials; and
- (4) Unlawful or criminal activity of any kind.

**Sec. 4.08-214. Parking facilities.**

Any person who desires a license for the operation of two or more amusement redemption machines in one specific location shall be required to provide sufficient off-street parking to accommodate the vehicles of the patrons as provided for herein. Such parking area shall be maintained in a safe, clean manner and shall not interfere with safe and expeditious movement of other vehicular or pedestrian traffic.

**Sec. 4.08-215. Violations of existing laws not authorized.**

Nothing herein shall be construed or have the effect to license, permit, authorize or legalize any machine, device, table, or gaming machine, the keeping, exhibition, operation, display or maintenance of which is illegal or in violation of any ordinance of the City, any regulation of Scurry county, any section of the penal code of this state, or the constitution of this state.

**Sec. 4.08-216. Offense; Penalties.**

- (a) A person who fails to comply with the requirements of this Article commits a Class C misdemeanor punishable by a fine not to exceed Five Hundred Dollars (\$500.00).
- (b) Proof of a culpable mental state is not required for a conviction of an offense under this article.
- (c) Each day that a violation occurs is a separate offense.
- (d) In addition to the penalty described in (a) above, the City may pursue other remedies such as injunctive relief, abatement of nuisance, revocation and removal of current license and tag(s), and securing an amusement redemption machine so as to render it inoperable.

**Section 3 – Severability Clause.** In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**Section 4 – Effective Date.** This ordinance shall become effective on and after its adoption and publication as required by law.

**PASSED AND APPROVED** on first reading this 5<sup>th</sup> day of December, 2016.

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Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

**PASSED AND ADOPTED** on second reading this 9<sup>th</sup> day of January, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

**RESOLUTION R170109**

**A RESOLUTION OF THE CITY OF SNYDER CITY COUNCIL TO DEDICATE THE DRONE ZONE A 36 ACRE PARK WITHIN THE SNYDER INDUSTRIAL PARK AS A PARK WITH CONTINUED USE AS A DRONE FLYING AND TRAINING FACILITY.**

**WHEREAS**, the Snyder City Council resolved on January 9, 2017 to approve the dedication of the Drone Zone as recommended by the Development Corporation of Snyder Board, and

**WHEREAS**, the Development Corporation of Snyder Board conducted a public meeting on December 15, 2016 and January 4, 2017 to discuss whether to recommend making the Drone Zone permanent, and

**WHEREAS**, Snyder Texas is a drone friendly community and wishes to be an integral part of the technology development and training in the rapidly expanding drone industry. Current industry applications exist in Scurry County for wind turbine construction and inspection, rail inspection, agriculture, ranching, power line inspection, oil and gas inspection and detection.

Snyder’s drone friendly position proves we are prepared to be a trend setting community for drone training and workforce development engaging all area students and adult mentors in Science, Technology, Engineering, Art, and Mathematics (STEAM).

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SNYDER, TEXAS** that the Drone Zone be dedicated as a park with continued use as a Drone Flying and Training Facility.

**PASSED AND APPROVED** this 9<sup>th</sup> day of January, 2017.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary



## MAY 06, 2017 GENERAL ELECTION

Post notice not later than 30 <sup>th</sup> day before first day to file where applications can be received with dates for filing	December 12, 2016 <b>(Last day to post December 19, 2016)</b> <b>Post on boards and web</b>
Candidate Packets Available	January 03, 2017
First Day to file for Place on Ballot	January 18, 2017
Last Day to file for place on Ballot	February 17, 2017
Last Day to order General Election	February 17, 2017 <b>(CC Meeting on February 6, 2017)</b>
First Day to Accept Application for Ballot by Mail	March 07, 2017
Last Day to Register to Vote	April 06, 2017
First Day of Early Voting by personal appearance	April 24, 2017
Last Day to Apply for Ballot by Mail <b>(Received not postmarked)</b>	April 20, 2017 <b>(Delivery In Person)</b> April 25, 2017 <b>(Noon)</b>
Last Day of Early Voting by personal appearance	May 02, 2017
Election Day	May 06, 2017
Canvass Election <b>(3<sup>rd</sup> to 11<sup>th</sup> day)</b> Issue Certificates of Election	May 09, 2017 <b>(Council Meeting)</b>
Oath of Office	May 15, 2017
Runoff Date <b>(Earliest Date)</b> <b>(TBD EV Tentative June 01 – June 09, 2015)</b>	June 17, 2017
Canvass Runoff <b>(8<sup>th</sup> – 11<sup>th</sup> day)</b>	June 20, 2017 <b>(Council Meeting)</b>
Oath of Office	July 3, 2017

## ELECCIÓN GENERAL DEL 6 DE MAYO DE 2017

Publicar el aviso no más tarde del 30mo día anterior al primer día para presentar la solicitud indicando dónde pueden obtenerse los formularios de solicitud y las fechas para presentar la solicitud	12 de diciembre de 2016 <b>(El último día para publicar es el 19 de diciembre de 2016)</b> <b>Publicar en tableros y en internet</b>
Paquetes para candidatos disponibles	3 de enero de 2017
Primer día para presentar la solicitud de un lugar en la boleta	18 de enero de 2017
Último día para presentar la solicitud de un lugar en la boleta.	17 de febrero de 2017
Último día para convocar una Elección General	17 de febrero de 2017 <b>(Asamblea del CM el 6 de febrero de 2017)</b>
Primer día para aceptar solicitudes de boletas para votar por correo	7 de marzo de 2017
Último día para registrarse para votar	6 de abril de 2017
Primer día de Votación Anticipada en persona	24 de abril de 2017
Último día para solicitar una boleta por correo (recibida, no fechada)	20 de abril de 2017 <b>(Entrega en persona)</b> 25 de abril de 2017 <b>(mediodía)</b>
Último día de votación anticipada en persona	2 de mayo de 2017
Día de Elección	6 de mayo de 2017
Escrutinio de la Elección <b>(3er al 11er día)</b> Expedición de Certificado de Elección	9 de mayo de 2017 <b>(Asamblea del Consejo)</b>
Juramento al cargo	15 de mayo de 2017
Fecha del desempate <b>(fecha más temprana)</b> <b>(A ser determinada; fecha tentativa de votación anticipada 1 de junio - 9 de junio de 2015)</b>	17 de junio de 2017
Escrutinio del desempate <b>(8vo – 11er día)</b>	20 de junio de 2017 <b>(Asamblea del Consejo)</b>
Juramento al cargo	3 de julio de 2017