



SHADY SHORES TOWN COUNCIL
WORKSESSION
OCTOBER 9, 2023; 6:00 PM
101 S.SHADY SHORES ROAD
SHADY SHORES, TX 76208

TO VIEW THE MEETING LIVE
<https://shadyshorestx.civicclerk.com/>

CALL TO ORDER

ROLL CALL

Establish a quorum.

WORKSESSION

1. Driveway Construction- Conduct a work session relative to a review of the proposed Ordinance updating materials that may be used for construction of a driveways.
2. Litter Ordinance - Conduct a work session relative to the creation of a Litter Ordinance.
3. Demonstration of the Building Permit Software/Dashboard

ADJOURN

The Town Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberation about Real Property), 551.073 (Deliberation about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development).

I, Wendy Withers, Town Administrator of the Town of Shady Shores do hereby certify that the above notice of the Regular Town Council Meeting was posted on the bulletin board at the Community Center, 101 S. Shady Shores Road, Shady Shores, Texas on 5th Day of October 2023, at 8:33 A.M.

Wendy Withers
Wendy Withers, Town Administrator



AGENDA MEMORANDUM

DATE: October 9, 2023
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Driveway Construction- Conduct a worksession relative to a review of the proposed Ordinance updating materials that may be used for construction of a driveways.

BACKGROUND/INFORMATION:

Materials for the construction of driveways was discussed at the September 2023 worksession. The attached Ordinance reflects the items council discussed during the worksession.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. SS Driveway and Garage ord DRAFT 9 26 23

REVIEWED BY:

ORDINANCE NO.

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, TEXAS, ADOPTING AN ORDINANCE DRIVEWAYS, THE REQUIRED MANNER TO CONNECT TO A GARAGE OR CARPORT TO A ROADWAY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS/REPEALING CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$500 PER OFFENSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the Town of Shady Shores is a Type A General Law located in Denton County created in accordance with provisions of the Texas Local Government Code and operating pursuant to the legislation of the State of Texas ("Town"); and

WHEREAS, the Town is charged with maintaining control of and access to the right-of-way in order to protect the public health, safety, and welfare; and

WHEREAS, the Town Council of the Town (the "Town Council") has determined that access to the Town streets from private driveways may significantly interfere with the public use of the streets and result in negative impact to public safety and level of service on streets and sidewalks, and aesthetics of the community; and

WHEREAS, the Town Council finds access to roadways from gravel driveways can degrade the surface of a paved street as a result of the vehicle drive onto the surface of the street from gravel driveways, and increase the frequency and cost to the public of requisite resurfacing, maintenance, and repair; and

WHEREAS, the Town Council has determined that substantial public funds have been invested to build, maintain and repair the Town streets and utilities and the Town holds these streets and utilities as an asset for its citizens; and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated as if fully set forth herein.

SECTION 2: The Addition of Section 8.0 Driveways, to Exhibit 10A. Subdivision Ordinance; Article VII. Design Standards and Requirements, , to the Code of Ordinances of the Town of Shady Shore, Texas as follows:

EXHIBIT 10A. SUBDIVISION ORDINANCE

ARTICLE VII DESIGN STANDARDS AND REQUIREMENTS

SECTION 8. DRIVEWAYS

A. Construction standards for paving and drainage facilities

Ordinances concerning general construction standards for driveways, in effect at the time of adoption of this Code, as amended, are incorporated by reference as if set forth herein.

B. Road and driveway requirements

1. Gravel Roadways ---

a. A driveway connecting to a gravel roadway may be constructed of gravel, crushed granite, asphalt, or concrete.

2. Asphalt or Concrete Roadways—

a. The main driveway connecting the primary residence to an asphalt or concrete roadway must be constructed of either asphalt or concrete.

b. . A secondary driveway does not connect the primary residence to a roadway. It connects a pasture, or building which is not the residence, such as a barn, to a roadway.

If the home has a secondary driveway, it may be constructed of crushed granite, asphalt or concrete. If crushed granite, there must be a concrete or asphalt apron (described below) constructed from the property line to the edge of pavement, or in any case not less than ten feet by ten feet.

If the property line is in the roadway, the apron is constructed for a distance of not less than ten feet from the edge of pavement across the drainage facility, if any, at the side of the road in the direction of the principal building on the site. The “apron” will be constructed to standards not less than a concrete or asphalt driveway, and of a depth, width and design approved by the city engineer.

3. Garage and Carport

Garages and carports (where carports are allowed) accessed by gravel driveways shall have floors and aprons of asphalt or concrete. The apron shall extend not less than five feet from the garage door or entrance to the carport, and not less than the dripline of the eaves of the building.

4. Crushed Granite

Crushed Granite may be used in driveways in any area gravel is permitted by this ordinance. Gravel may not be used in a secondary driveway where crushed granite is permitted.

5. Permits and Approvals

All work to be done subject to this ordinance requires a Town Permit to be acquired in advance of any construction by submitting appropriate plans and fees and obtaining preliminary approval of the plans. Any work done without a permit is a violation of this ordinance, as is any work done in violation of the requirements of the plans or permit.

SECTION 3: SAVINGS/REPEALER. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 4: PENALTY. It is the intent of the Town Council of the Town of Shady Shores in adopting this Ordinance that an offense under this Ordinance be a strict liability offense; in the prosecution of an offense under this Ordinance, no pleading or proof of intent shall be required to establish the guilt of an accused. Any person, firm, corporation or business entity violating this Chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine not to exceed the sum of \$500.00. Each continuing day's violation under this article shall constitute a separate offense. The penal provisions imposed under this Chapter shall not preclude the Town from filing suit to enjoin the violation.

SECTION 5: EFFECTIVE DATE. This Ordinance shall take effect immediately upon and after its passage and publication as provided by law.

ADOPTED this ____ day of _____ 2023, by the Shady Shores Town Council.

APPROVED:

Cindy Aughinbaugh, Mayor

ATTEST:

Wendy Withers, Town Secretary

APPROVED AS TO FORM

:

James E. Shepherd, Town Attorney



AGENDA MEMORANDUM

DATE: October 9, 2023
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Litter Ordinance - Conduct a worksession relative to the creation of a Litter Ordinance.

BACKGROUND/INFORMATION:

Consider and act on approval of an Ordinance regulating litter, this new Ordinance is in response in part to the passage of Senate Bill 1346. The purpose of SB 1346 was to increase the ability of the district attorney to prosecute solid and liquid waste violations. This Bill does not change the rules for place, amount and kind of litter or other waste as a violation. However, the bill adds a chapter to the Penal Code adding provisions for preparing to commit the crime of littering, making it also a crime.

"An example would be a hauler of solid waste preparing to dump the waste in an area where no permit for such disposal is available."

Author's/Sponsor's Statement of Intent

Q: What does this bill do?

A: This bill allows a district attorney to prosecute anyone who orders and or conspires to illegally dump any material by improper and illegal means.

Background and Purpose:

- In recent years, Texas has seen an increase in illegal dumping and overall littering in many municipalities throughout the state.
- This influx is the direct result of corporations dumping scrap and other unwanted material in unapproved residential areas through various illegal means.
- This bill combats illegal dumping by giving local authorities the power to prosecute those who order the disposal in addition to those who are actually dumping the unwanted material."

S.B. 1346 amends current law by adding Chapter 15 of the Penal Code to the Texas Litter Abatement Act in Ch 365 of the TX Health and Safety Code. The result is the Act formerly made criminal acts of littering (as defined in the Act) ranging from the municipal court jurisdiction of Type C Misdemeanors, to and including state jail felonies. Adding Chapter 15 added preparatory crimes, meaning it is unlawful to plan or prepare to commit such crimes. The portion of the revised Texas Litter Abatement Act that applies to municipalities is for litter of five pounds or less, or five gallons or less. The state jail felony portion is the same violation, 1000 pounds or more, or has a volume of 200 cubic feet. The new ordinance defines the separation of the crimes in order to make it clear what goes to the district attorney (over five pounds or five gallons) , and what cases we have jurisdiction over in the municipal court (five pounds or less or five gallons or less).

Definitions and defenses are also included in the new ordinance, as they appear in the state law. The existing littering nuisance ordinance is not repealed. It covers the entire town, is easier to prove, and can be used where the facts of the case would be better served by doing so.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. Littering ordinance H&S Code 365.012 .2

REVIEWED BY:

Ordinance No. _____
(TEXAS LITTER ABATEMENT ACT)

AN ORDINANCE AMENDING CHAPTER 8 OF THE SHADY SHORES CODE OF ORDINANCES BY ADDING SECTION 8.09 REGARDING THE TEXAS LITTER ABATEMENT ACT; DEFINING AND PROHIBITING ILLEGAL DUMPING; DISCARDING LIGHTED MATERIALS; PROVIDING PENALTIES FOR VIOLATIONS OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF \$500.00 FOR EACH OFFENSE; PROVIDING A PUBLICATION CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the governing body of the Town of Shady Shores, in compliance with the laws of the State of Texas and the ordinances of the Town of Shady Shores, has given requisite notice, and in the exercise of its legislative discretion has concluded that the Municipal Code of Ordinances of the Town of Shady Shores should be amended to as described herein:

WHEREAS the Town Council of the Town of Shady Shores ("Town Council") seeks to provide for the public health, safety, and welfare of its citizens; and

WHEREAS the Town Council seeks to promote orderly and safe use of property within the Town of Shady Shores, Texas ("Town"); and

WHEREAS Penal Code ch. 15 establishes the offenses of criminal attempt, criminal conspiracy, criminal solicitation, and criminal solicitation of a minor, and applicable penalties; and

WHEREAS Health and Safety Code sec. 365.012 establishes offenses of illegal dumping and discarding lighted materials, including a match, cigarette, or cigar, and applicable penalties; and

WHEREAS, the Texas Legislature, 88th session, passed legislation that provides local authorities the power to prosecute individuals who order the disposal of unwanted materials, and helping to curb illegal dumping; and

WHEREAS Senate Bill 1346 of the 88th Legislative session extends the preparatory offences definitions of Texas Penal Code Chapter 15 to the littering and waste provisions of Texas Health and Safety Code 365.012; which in part creates new class C misdemeanors subject to enforcement by municipal courts; and

WHEREAS, the Mayor and Town Council of the Town of Shady Shores, Texas desire to establish an ordinance which provides maximum protection of the lives and persons of the Town of Shady Shores, and

WHEREAS, the Town of Shady Shores, Texas, Code of Ordinances Chapter 8; Section 8.09 is hereby created by this Ordinance, and

WHEREAS, the Town Council has received input from the citizens and Town staff which supports the purpose and terms of this ordinance.

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

WHEREAS, the Town Council finds that the terms of this ordinance are reasonable, necessary, and proper for the good government of the Town of Shady Shores, and in the best interests of its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, TEXAS:

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

Chapter 8, Section 8.09 of the Code of Ordinances, Town of Shady Shores, Texas, is hereby added to the Code, as follows:

Section 8.09.01 State Law

8.09.01 Regarding Littering and Solid Waste, in accordance with the provisions of the Texas Health and Safety Code, Chapter 365, entitled the Texas Litter Abatement Act. Other Texas Codes that apply to Litter include:

- a. The pollution of water in the state is controlled by Chapter [26](#), Water Code, and other applicable law.
- b. The regulation of litter on public beaches is controlled by Subchapters [C](#) and D, Chapter [61](#), Natural Resources Code.
- c. Venue for the prosecution of a criminal offense under Subchapter B or Section [365.032](#) or [365.033](#) or for a suit for injunctive relief under any of those provisions is in the county in which the defendant resides, in the county in which the offense or the violation occurs, or in Travis County.
- d. If the attorney general or a local government brings a suit for injunctive relief under Subchapter B or Section [365.032](#) or [365.033](#), a prevailing party may recover its reasonable attorney fees, court costs, and reasonable investigative costs incurred in relation to the proceeding.
- e. References to Chapter numbers between 360 and 369 refer to Chapters of the Texas Health and Safety Code.

Section 8.09.02. Definitions

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

(1) "Approved solid waste site" means:

(A) a solid waste site permitted or registered by the Texas Natural Resource Conservation Commission;

(B) a solid waste site licensed by a county under Chapter [361](#); or

(C) a designated collection area for ultimate disposal at a permitted or licensed municipal solid waste site.

(2) "Boat" means a vehicle, including a barge, airboat, motorboat, or sailboat, used for transportation on water.

(3) "Commercial purpose" means the purpose of economic gain.

(4) "Commercial vehicle" means a vehicle that is operated by a person for a commercial purpose or that is owned by a business or commercial enterprise.

(5) "Dispose" and "dump" mean to discharge, deposit, inject, spill, leak, or place litter on or into land or water.

(6) "Litter" means:

(A) decayable waste from a public or private establishment, residence, or restaurant, including animal and vegetable waste material from a market or storage facility handling or storing produce or other food products, or the handling, preparation, cooking, or consumption of food, but not including sewage, body wastes, or industrial by-products; or

(B) no decayable solid waste, except ashes, that consists of:

(i) combustible waste material, including paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves, or similar materials;

(ii) noncombustible waste material, including glass, crockery, tin or aluminum cans, metal furniture, and similar materials that do not burn at ordinary incinerator temperatures of 1800 degrees Fahrenheit or less; and

(iii) discarded or worn-out manufactured materials and machinery, including motor vehicles and parts of motor vehicles, tires, aircraft, farm implements, building or construction materials, appliances, and scrap metal.

(7) "Motor vehicle" has the meaning assigned by Section [541.201](#), Transportation Code.

(8) "Public highway" means the entire width between property lines of a road, street, way, thoroughfare, bridge, public beach, or park in this state, not privately owned or controlled, if any part of the road, street, way, thoroughfare, bridge, public beach, or park:

(A) is opened to the public for vehicular traffic;

(B) is used as a public recreational area; or

(C) is under the state's legislative jurisdiction through its police power.

(9) "Solid waste" has the meaning assigned by Section [361.003](#).

Section 8.09.03 Actions prohibited

Sec. 365.012. ILLEGAL DUMPING; DISCARDING LIGHTED MATERIALS; CRIMINAL PENALTIES. (a) A person commits an offense if the person disposes or allows or permits the disposal of litter or other solid waste at a place that is not an approved solid waste site, including a place on or within 300 feet of a public highway, on a right-of-way, on other public or private property, or into inland or coastal water of the state.

(a-1) A person commits an offense if:

(1) the person discards lighted litter, including a match, cigarette, or cigar, onto open-space land, a private road or the right-of-way of a private road, a public highway or other public road or the right-of-way of a public highway or other public road, or a railroad right-of-way; and

(2) a fire is ignited as a result of the conduct described by Subdivision (1).

(b) A person commits an offense if the person receives litter or other solid waste for disposal at a place that is not an approved solid waste site, regardless of whether the litter or other solid waste or the land on which the litter or other solid waste is disposed is owned or controlled by the person.

(c) A person commits an offense if the person transports litter or other solid waste to a place that is not an approved solid waste site for disposal at the site.

(d) An offense under Subsection (a), (b), or (c) is a Class C misdemeanor if the litter or other solid waste to which the offense applies weighs five pounds or less or has a volume of five gallons or less. Class C Misdemeanors may be heard in Municipal Courts in fine only cases.

(e). Sec 365.012 also provides additional crimes for which jurisdiction is not in municipal court, and is in county or district courts

Examples are summarized as follows:

(f) An offense under Subsection (a), (b), or (c) is a Class B misdemeanor if the litter or other solid waste to which the offense applies weighs more than five pounds but less than 500 pounds or has a volume of more than five gallons but less than 100 cubic feet

(g) An offense under this section is a Class A misdemeanor if:

(1) the litter or other solid waste to which the offense applies weighs 500 pounds or more but less than 1,000 pounds or has a volume of 100 cubic feet or more but less than 200 cubic feet; or

(2) litter or other solid waste is disposed for a commercial purpose and weighs more than five pounds but less than 200 pounds or has a volume of more than five gallons but less than 200 cubic feet.

(g) An offense under this section is a state jail felony if the litter or solid waste to which the offense applies:

(1) weighs 1,000 pounds or more or has a volume of 200 cubic feet or more.

(2) is disposed of for a commercial purpose and weighs 200 pounds or more or has a volume of 200 cubic feet or more; or

(3) is contained in a closed barrel or drum.

Additional conditions and requirements for Misdemeanor A and B cases, and state jail felonies, and apply to cases brought by the District Attorney in county or district courts.

(h) If it is shown on the trial of the defendant for an offense under this section that the defendant has previously been convicted of an offense under this section, the punishment for the offense is increased to the punishment for the next highest category.

This provision (h) means the fine only jurisdiction of the municipal court would be exceeded if the defendant is a repeat offender, as the increased penalty of a Class B Misdemeanor includes up to 30 days incarceration. The municipal court would need to confirm it has the discretion to waive that additional penalty.

(i) On conviction for an offense under this section, the court shall provide to the defendant written notice that a subsequent conviction for an offense under this section may result in the forfeiture under Chapter [59](#), Code of Criminal Procedure, of the vehicle used by the defendant in committing the offense.

(j) The offenses prescribed by this section include the unauthorized disposal of litter or other solid waste in a dumpster or similar receptacle.

(k) This section does not apply to the temporary storage for future disposal of litter or other solid waste by a person on land owned by that person, or by that person's agent. The commission by rule shall regulate temporary storage for future disposal of litter or other solid waste by a person on land owned by the person or the person's agent.

(l) This section does not apply to an individual's disposal of litter or other solid waste if:

(1) the litter or waste is generated on land the individual owns;

(2) the litter or waste is not generated as a result of an activity related to a commercial purpose.

(3) the disposal occurs on land the individual owns; and

(4) the disposal is not for a commercial purpose.

(m) A municipality or county may offer a reward of \$50 for reporting a violation of this section that results in a prosecution under this section.

(n) An offense under this section may be prosecuted without alleging or proving any culpable mental state, unless the offense is a state jail felony.

(o) For purposes of a prosecution under Subsection (g), a generator creates a rebuttable presumption of lack of culpable mental state if the generator of the solid waste to be disposed of secures, prior to the hauler's receipt of the solid waste, a signed statement from the hauler that the solid waste will be disposed of legally. The statement shall include the hauler's valid Texas driver's license number.

(p) It is an affirmative defense to prosecution under Subsection (a-1) that the person discarded the lighted litter in connection with controlled burning the person was conducting in the area into which the lighted litter was discarded.

(q) The operator of a public conveyance in which smoking tobacco is allowed shall post a sign stating the substance of Subsections (a-1) and (d-1) in a conspicuous place within any portion of the public conveyance in which smoking is allowed.

(r) If conduct that constitutes an offense under Subsection (a-1) also constitutes an offense under Subsection (a), the actor may be prosecuted only under Subsection (a-1). If conduct that constitutes an offense under Subsection (a-1) also constitutes an offense under Chapter [28](#), Penal Code, the actor may be prosecuted under Subsection (a-1) or Chapter [28](#), Penal Code, but not both.

(s) On conviction of an offense under this section, the court shall require the defendant, in addition to any fine or other penalty, to perform community service as provided by Article [42A.304](#)(e), Code of Criminal Procedure.

Health and Safety code Section 365.016 created a Class C Misdemeanor which provides as follows:

(a) A person commits an offense if the person disposes litter, a dead animal, sewage, or any chemical in a cave.

(b) An offense under this section is a Class C misdemeanor unless:

(1) it is shown on the trial of the defendant that the defendant previously has been convicted once of an offense under this section, in which event the offense is a Class A misdemeanor; or

(2) it is shown on the trial of the defendant that the defendant previously has been convicted two or more times of an offense under this section, in which event the offense is a felony of the third degree.

(c) On conviction of an offense under this section, the court shall require the defendant, in addition to any fine or other penalty, to perform community service as provided by Article [42A.304](#)(e), Code of Criminal Procedure.

Health and Safety code Section 365.014 APPLICATION OF SUBCHAPTER; DEFENSES; PRESUMPTIONS provides as follows:

Defenses and Presumptions:

(a) This subchapter does not apply to farmers:

(1) in handling anything necessary to grow, handle, and care for livestock; or

(2) in erecting, operating, and maintaining improvements necessary to handle, thresh, and prepare agricultural products or for conservation projects.

(b) A person who dumps more than five pounds or 13 gallons of litter or other solid waste from a commercial vehicle in violation of this subchapter is presumed to be dumping the litter or other solid waste for a commercial purpose.

(c) It is an affirmative defense to prosecution under Section [365.012](#) that:

(1) the storage, processing, or disposal took place on land owned or leased by the defendant.

(2) the defendant received the litter or other solid waste from another person;

(3) the defendant, after exercising due diligence, did not know and reasonably could not have known that litter or other solid waste was involved; and

(4) the defendant did not receive, directly or indirectly, compensation for the receipt, storage, processing, or treatment.

For the crimes set forth above, the SB 1346, effective sept 1, 2023, added one sentence to Section 365.012 of the Health and Safety Code, as subsection (t), as follows:

“(t) Chapter 15, Penal Code, applies to an offense under this section.”

Subsection (t) added to 362.012 added Preparatory Offences to those offences in 362.012 and described above in this ordinance. The difference is the former are littering that has occurred, as defined in the statute. Chapter 15 means, as it relates to Class C Misdemeanors, the following:

Sec. 15.01. CRIMINAL ATTEMPT. (a) A person commits an offense if, with specific intent to commit an offense, he does an act amounting to more than mere preparation that tends but fails to effect the commission of the offense intended.

(b) If a person attempts an offense that may be aggravated, his conduct constitutes an attempt to commit the aggravated offense if an element that aggravates the offense accompanies the attempt.

(c) It is no defense to prosecution for criminal attempt that the offense attempted was actually committed.

(d) An offense under this section is one category lower than the offense attempted, and if the offense attempted is a state jail felony, the offense is a Class A misdemeanor.

SECTION 2. Severability. That should any word, phrase, paragraph, section or portion of this ordinance be held to be illegal, invalid or unenforceable, the legality, validity and enforceability of the remaining portions of the ordinance shall not be affected thereby, and each such illegal, invalid or unenforceable word, phrase, paragraph, section or portion shall not affect the ordinance as a whole.

SECTION 3. Repealer. That all provisions of the ordinances of the Town of Shady Shores in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the Town of Shady Shores not in conflict with the provisions of this Ordinance shall remain in full force and effect.

The Class C misdemeanor offense in the Shady Shores Municipal Code defining littering and litter as a public nuisance is not repealed.

SECTION 4. Penalty. That any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be guilty of a Class C misdemeanor offense, and upon conviction shall be punished by a fine not to exceed the sum of \$500.00 for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense. In addition, community service may be imposed.

SECTION 5. Publication. In accordance with Section 52.011 of the Local Government Code, the caption of this Ordinance shall be published either (a) in every issue of the official newspaper of the Town of Shady Shores for two days, or (b) one issue of the newspaper if the official newspaper is a weekly paper. An affidavit by the printer or the publisher of the official newspaper verifying the publication shall be filed in the office of the Town Secretary.

SECTION 6. Effective Date. This Ordinance shall take effect upon publication of the caption, as the law in such case provides.

ADOPTED this ____ day of _____ 2023, by the Shady Shores Town Council.

APPROVED

Cindy Aughinbaugh, Mayor

ATTEST:

Wendy Withers, Town Secretary

APPROVED AS TO FORM:

James E. Shepherd, Town Attorney



AGENDA MEMORANDUM

DATE: October 9, 2023
TO: Town Council
FROM: Wendy withers, Town Administrator
SUBJECT: Demonstration of the Building Permit Software/Dashboard

BACKGROUND/INFORMATION:

Over the last six months staff has been working to complete a software conversion, transitioning key modules (Building Permits and Code Enforcement) from Fund View to Civic Gov. Receive a staff presentation regarding the use and function of the new software.

FINANCIAL IMPLICATIONS:

RECOMMENDATION/ACTION DESIRED:

ATTACHMENTS/SUPPORTING DOCUMENTATION:

1. My Shady Shores Portal Instructions (2)
2. Citizen Portal-New User PDF (4)_202307191616200930
3. Citizen Portal Instructions (5)_202307191618079556

REVIEWED BY:

<https://tinyurl.com/ShadyShoresMyPortal>



UNDERSTANDING "MY PORTAL"

"ONE STOP SHOP" FOR COMMUNICATIONS FOR THE COMMUNITY OF SHADY SHORES



MY PORTAL

EVERYTHING IN
ONE PLACE

Agendas and Meetings:
No additional sign in to view
information

**Permits, Inspections, Licensing, and
Solid Waste-** require additional sign in
to Citizen Portal where property
information is stored

**Forms from all across the Shady
Shores Website.** Forms may
require sign in to save progress or
access later

Links- to view Shady Shores chosen
links, no sign in required. To edit to
user preference, a sign in is
required.

Notifications- requires a sign-in
and account set up. Links email
and text messages based on
user preference

Note: My Portal may be used as a
guest. To customize to user
preferences a sign-in will be
required.

MY PORTAL

[HTTPS://TINYURL.COM/SHADYSHORES
MYPORTAL](https://tinyurl.com/shadyshoresmyportal)

OR

[SHADY-SHORES.COM, RESIDENTS, MYPORTAL](https://shady-shores.com/residents/myportal)



DASHBOARD

Create links from anywhere on the web for easy access

AGENDA AND MEETINGS

Find all things Council and Committee Related

FORMS

All forms across the Shady Shores website listed here

NOTIFICATIONS

Subscribe/ Unsubscribe to notifications through email or text.

PERMITS AND INSPECTIONS

Portal link to Permitting, Licensing, and Code Enforcement.

Where to Find "MyPortal"

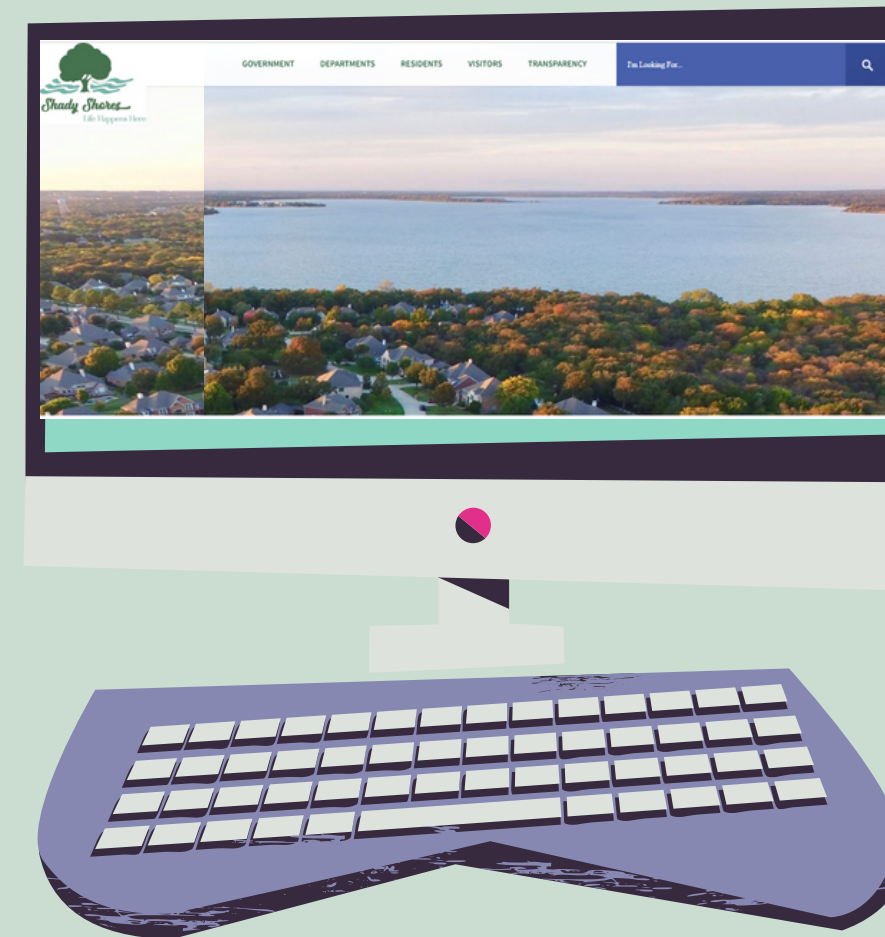
TinyURL

<https://tinyurl.com/ShadyShoresMyPortal>

Shady -Shores.com

**Click the tab:
Residents**

**Highlight:
MyPortal**



QR Code




Dashboard


Agendas &
Meetings


Forms


Links


Notifications


Payments


Permits &
Inspections

Se

Dashboard

[Create an account](#) or [sign in](#) to bookmark your own links and personalize your dashboard!



****Note**** if you have EVER signed into the website with an email the website will use those credentials; you may need to click "forgot your password" in the pop up window

Multiple sign-in options

Follow prompts based on your choice



Don't have an account? [Sign up](#)

Email

The Email field is required.

☐ Remember me

CONTINUE

Or sign in using



SIGN IN WITH APPLE



SIGN IN WITH FACEBOOK



SIGN IN WITH GOOGLE



SIGN IN WITH MICROSOFT (PERSONAL)



Don't have an account? [Sign up](#)

Email

The Email field is required.

Password



The Password field is required.

[Forgot your password?](#)

☐ Remember me

SIGN IN

Or sign in using



SIGN IN WITH APPLE



SIGN IN WITH FACEBOOK

Dashboard- where you can store your favorite links all in one place!

The image displays two screenshots of a web dashboard interface, illustrating the process of adding and viewing saved links.

Top Screenshot: Shows the "Create New Link" pop-up window. The window has fields for "URL *", "Title *", and "Description". The "URL" field is highlighted with a blue arrow pointing to it from the text "Fill in pop up window with the website URL and a title". The "Title" field is also highlighted with a blue arrow pointing to it from the same text. The "Description" field is highlighted with a blue arrow pointing to it from the text "Fill in pop up window with the website URL and a title". The "SAVE" button is highlighted with a blue arrow pointing to it from the text "Click +new link to make a shortcut".

Bottom Screenshot: Shows the "Dashboard" view. The "Dashboard" title is highlighted with a blue arrow pointing to it from the text "See your favorite links here". The "My Saved Interactions" section is highlighted with a blue arrow pointing to it from the same text. The "See Click Fix Reporting" link is highlighted with a blue arrow pointing to it from the same text.

Annotations:

- Click +new link to make a shortcut
- Fill in pop up window with the website URL and a title
- See your favorite links here

Agenda and Meetings- Calendar- view past or future meetings, agendas and videos

Subscribe to
specific committee
notifications.

Home > Portal

Dashboard

Agendas & Meetings

Forms

Links

Notifications

Payments

Permits & Inspections

Settings

Agendas & Meetings

August 2023

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From Date

To Date

Search Shady Shores, TX Portal... (ctrl+k)

Event Categories

Type or select an event category to filter...

VIEW TODAY

Past Events

Monday
AUG 14
6:00 PM

TC Worksession
101 S. Shady Shores Road Shady Shores, TX 76208
City Council

Monday
AUG 14
7:00 PM

Town Council Meeting
101 South Shady Shores Road, Shady Shores, TX, 76208 Shady Shores, Texas 76208
City Council

SUBSCRIPTIONS

Subscriptions management

Town Council

Building And Standards Commission

Community Events Committee

Internal Staff Meeting

Investment Committee

Keep Shady Shores Beautiful

Planning And Zoning Commission Special Called Meet

Zoning Board Of Adjustments

Planning And Zoning Commission

Lake Cities Broadband Committee

Strategic Planning Committee

Town Council Worksession

HOME > FORMS

Forms

Action Book Club

We Believe That Books Can Inspire You To Make The World A Better Place-Starting In Our Community.

[External](#)

[Community Events Committee](#)

ADOPT- A SPOT APPLICATION

The Adopt A Spot Program Is Intended To Provide Residents And/Or Groups An Opportunity To Help Keep The Town Of Shady Shores A Wonderful Place For All To Live, Work, And Play.

[External](#)

[Keep Shady Shores Beautiful](#)

ADOPT- A SPOT Certification & Acknowledgement Of Risk Signature Page (For Additional A-A-S Group Participants)

This Form Is For Additional Group/Family Members Participating In The Adopt A Spot Program. The Adopt A Spot Program Is Intended To Provide Residents And/Or Groups An Opportunity To Help Keep The Town Of Shady Shores A Wonderful Place For All To Live, Work, And Play.

[External](#)

[Keep Shady Shores Beautiful](#)

Board, Commission And Committees Application Form

Boards, Commissions, And Committees Have An Important Role In Assisting The Town Council In Fulfilling Its Obligations To The Residents Of Corinth. Participation On A Board Commission Or Committee Is A Vital Role In The Communication Process Between The Residents Of Shady Shores And Our Elected Officials. If You Are Interested In Serving On A Board, Commission, Or Committee, Please Contact The Town Council. The Town Council Will Review The Applicants And Appoint A Resident To Fill The Vacancy.

All current and active forms available will be listed here. Simply click on the form and you will be redirected to that page.

We have gathered a few of the most used pages on our website.

Contact
community.relations@
shady-shores.com if
you think we should
add more!



Links



Citizen Portal

Apply for a permit, request and inspection on a project. Pay your solid waste invoice. Check on your license (Septic Systems, Community Center Rental, other "licenses")

 External

Applications and Permits

Payments



Ready to Report Report a Concern

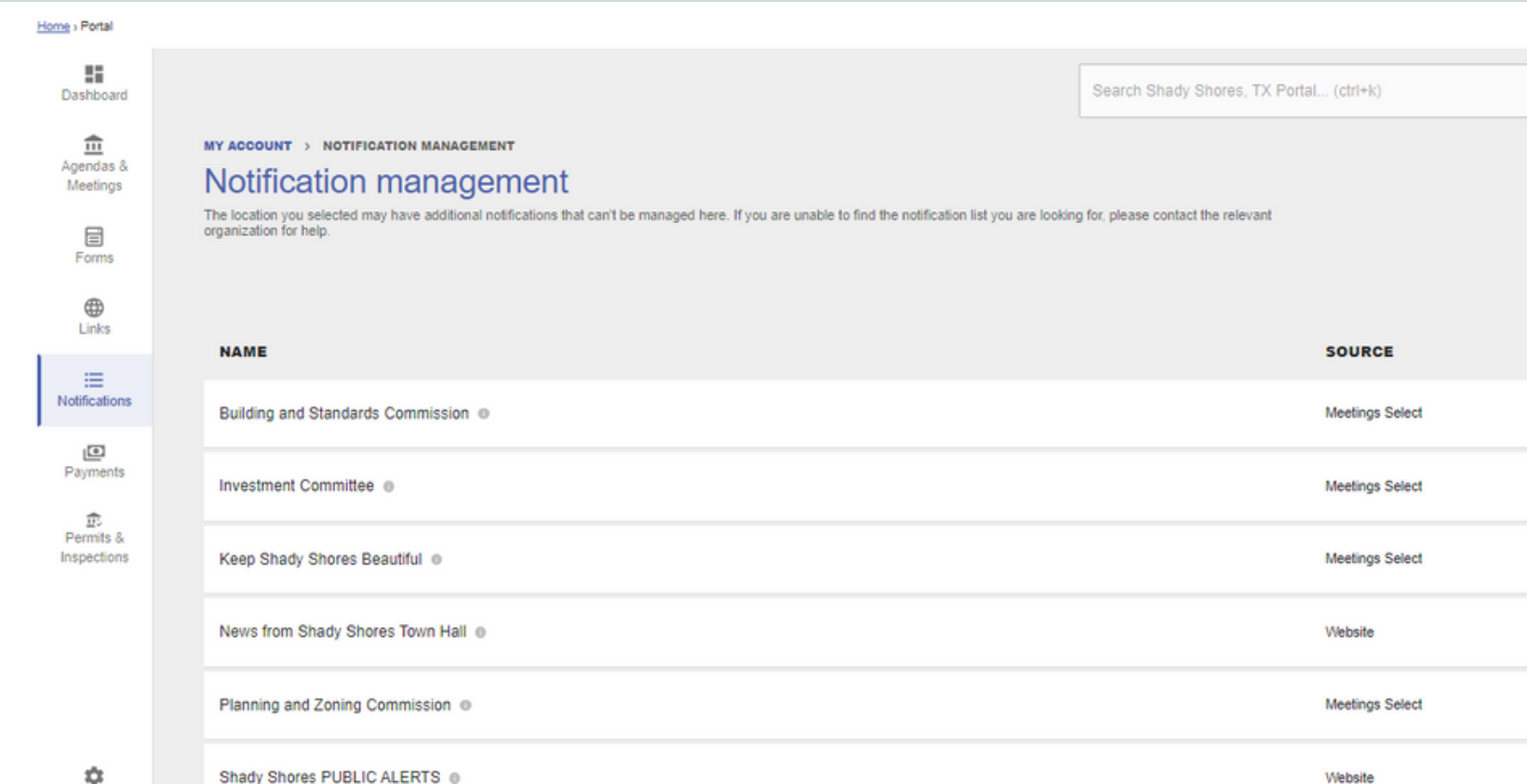
Our online version of our report a concern around

 External

Report an

General





Manage your notification here!

You determine what and how information comes to you.

- SMS- text message
- Email

Payments

▼ Featured Links



Citizen Portal

We are currently moving towards one login for accepting payments for permits and solid waste. You will be redirected to sign in again using the email you provided for your solid waste invoices or permit... applications.

[External](#)[Applications and Permits](#)[Building Permit](#)[Payments](#)

Solid Waste Accounts Page

This link will redirect you to the Solid Waste Page where you can make a payment to your account. Login to the Solid Waste payment center using your account ID found on your Solid Waste Invoice.

[External](#)[Payments](#)[TRASH & RECYCLING COLLECTION CONTRACT](#)[Trash & Recycling Disconnect Request](#)


Agendas &
Meetings


Forms


Links

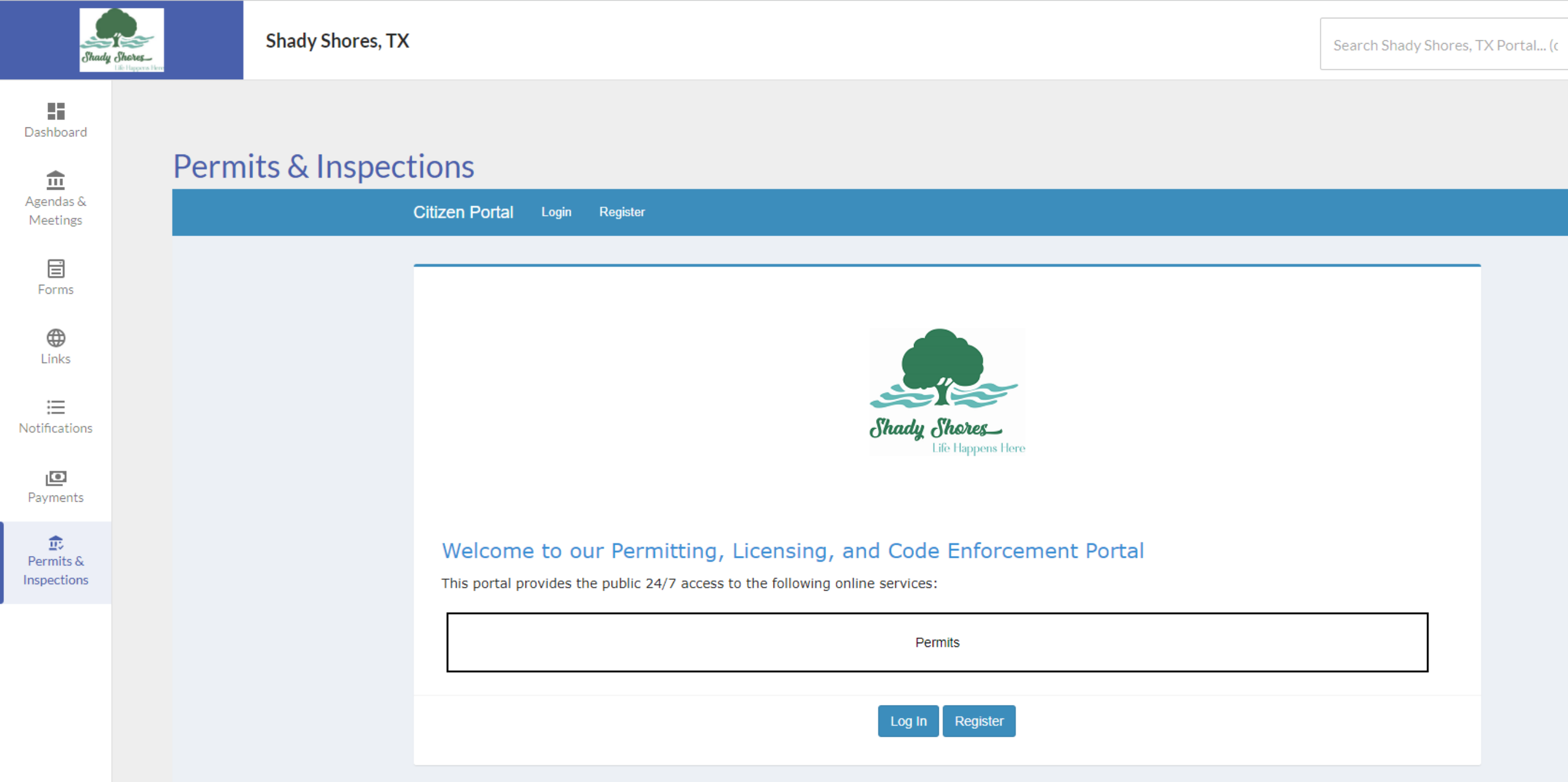

Notifications


Payments


Permits &
Inspections

Need to make a payment? Here are the links!

Please be aware in early 2024, we will be migrating Solid Waste Payments into the Citizen Portal.



**Our new portal for Permitting, Solid Waste, Licenses, and more.
In order to help protect your privacy, you will be directed to sign in
or register for the Citizen’s Portal.**

Please be aware in early 2024, we will be migrating Solid Waste Payments into the Citizen Portal.

<https://tinyurl.com/ShadyShoresMyPortal>

**Should you have any questions please contact:
community.relations@shady-shores.com**





Citizen Portal First-Time Registration

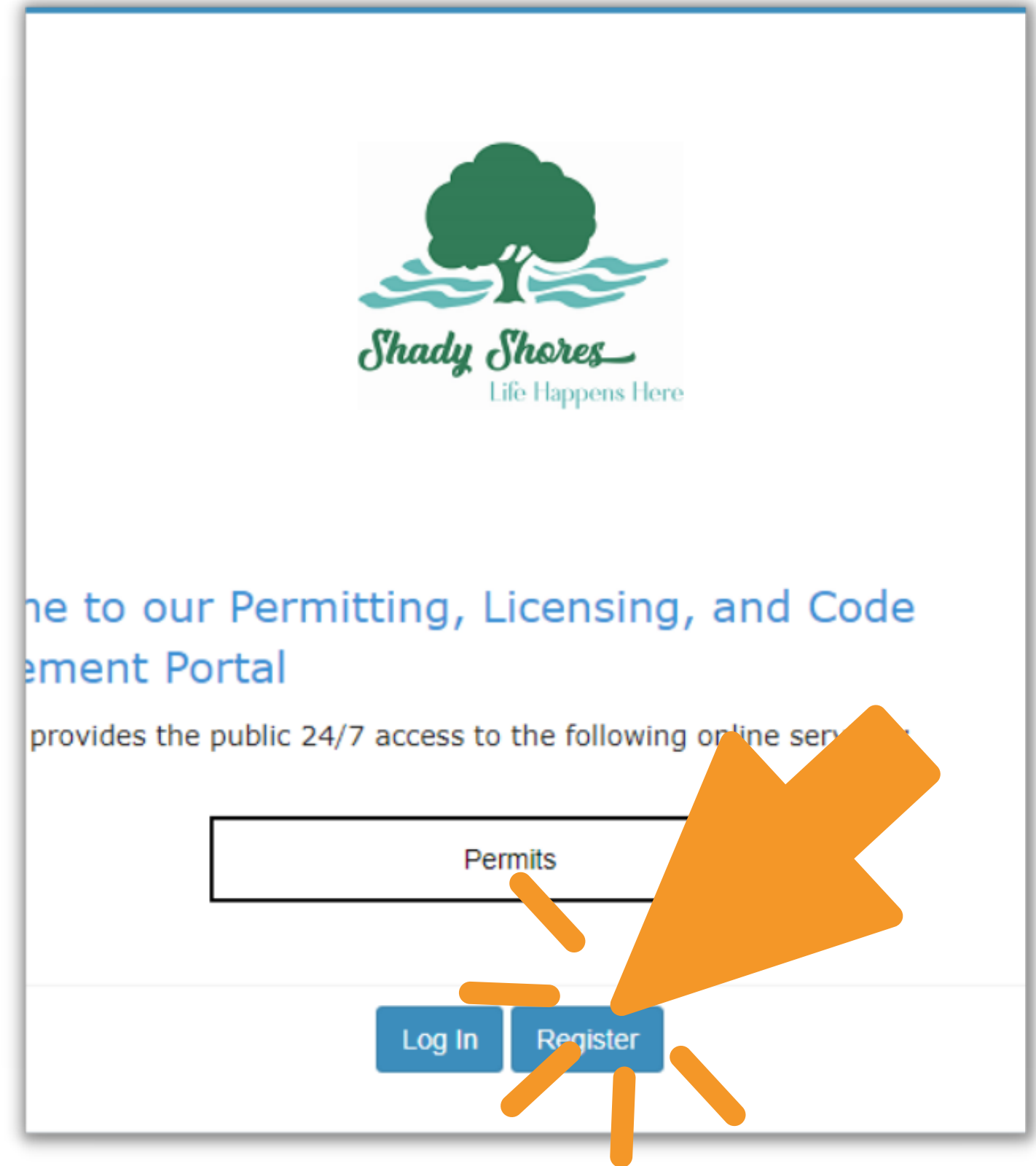
Instructions for registration

civicgov[®]
POWERED BY CIVICPLUS[™]

Click Register

Navigate to the Citizen Portal
Log in Page

When Portal opens: click
"register"



Enter requested information

User Registration



Please complete the below form and click "Register". The approval process takes up to one business day. Upon approval, you will receive an email notification with login instructions. Your email address will act as your userid and will be used for future notifications.

Create Account and Password

EMAIL *

PASSWORD *

CONFIRM PASSWORD

PASSWORD STRENGTH

None

Enter Contact Information

USER TYPE *

Public

FULL NAME *

Enter first and last name (e.g., John Smith)

ADDRESS 1 *

Enter address (e.g., 123 Main St)

ADDRESS 2

CITY *

STATE *

Alabama

ZIP *

PHONE *

Enter Intended Use of System

INTENDED USE OF SYSTEM*

Please briefly describe your intended use of the software.

VERIFICATION CODE

Get a new code

VERIFICATION CODE

Enter a sensitive code.

REGISTER

Frequently Asked Questions about this page:

The Portal uses EMAIL ADDRESSES to search your account. If you have previously submitted permits online and are making a payment- you will need to use the original email submitted with your application.

Passwords: Passwords are NOT stored. Staff will not be able to view your chosen password.

User Type: Public is the ONLY option

Intended Use of the System: Enter Resident or Contractor - or explain why you are registering to use the system

Click Register

Confirm your Email

Users will receive an email to confirm their registration from donotreply@civicplus.com.

Once Users confirm registration, a confirmation banner will display on your screen

Still, waiting to receive your confirmation request?

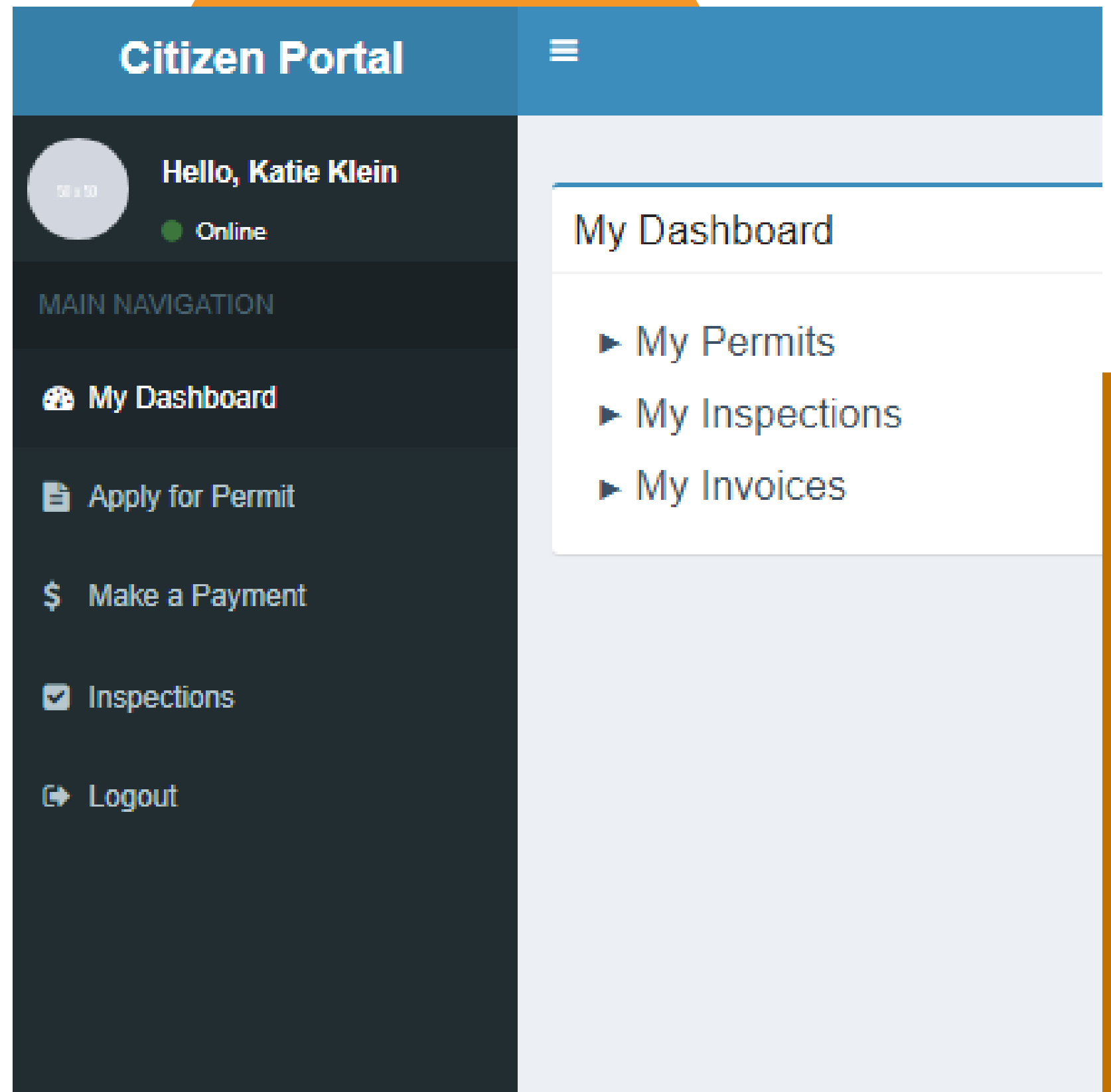
Troubleshooting:

- * Check your spam or junk folders**
- * add donotreply@civicplus.com to your "safe senders" list**

Account Registration requires department approval.

A confirmation email will be sent from the community relations department confirming your account.

Once approved, your login will take you to your dashboard



Your Dashboard

Citizen Portal



Hello, Katie Klein

Online

MAIN NAVIGATION

 My Dashboard

 Apply for Permit

 Make a Payment

 Inspections

 Logout

My Dashboard

▶ My Permits

▶ My Inspections

▶ My Invoices

Review current permits/applications
View scheduled inspections
View Invoices

Apply for a NEW Permit or Make a Payment

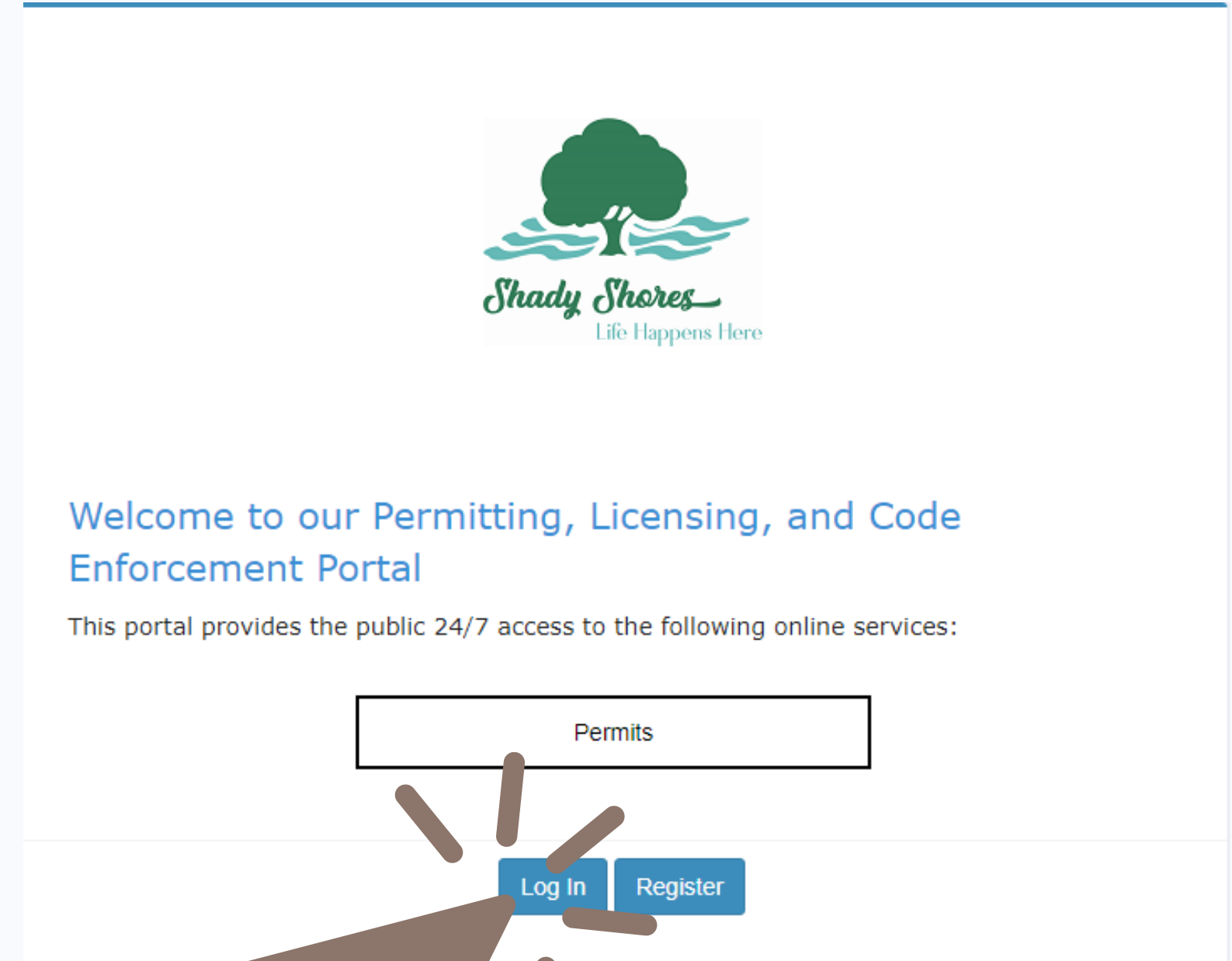


CITIZEN PORTAL INSTRUCTIONS

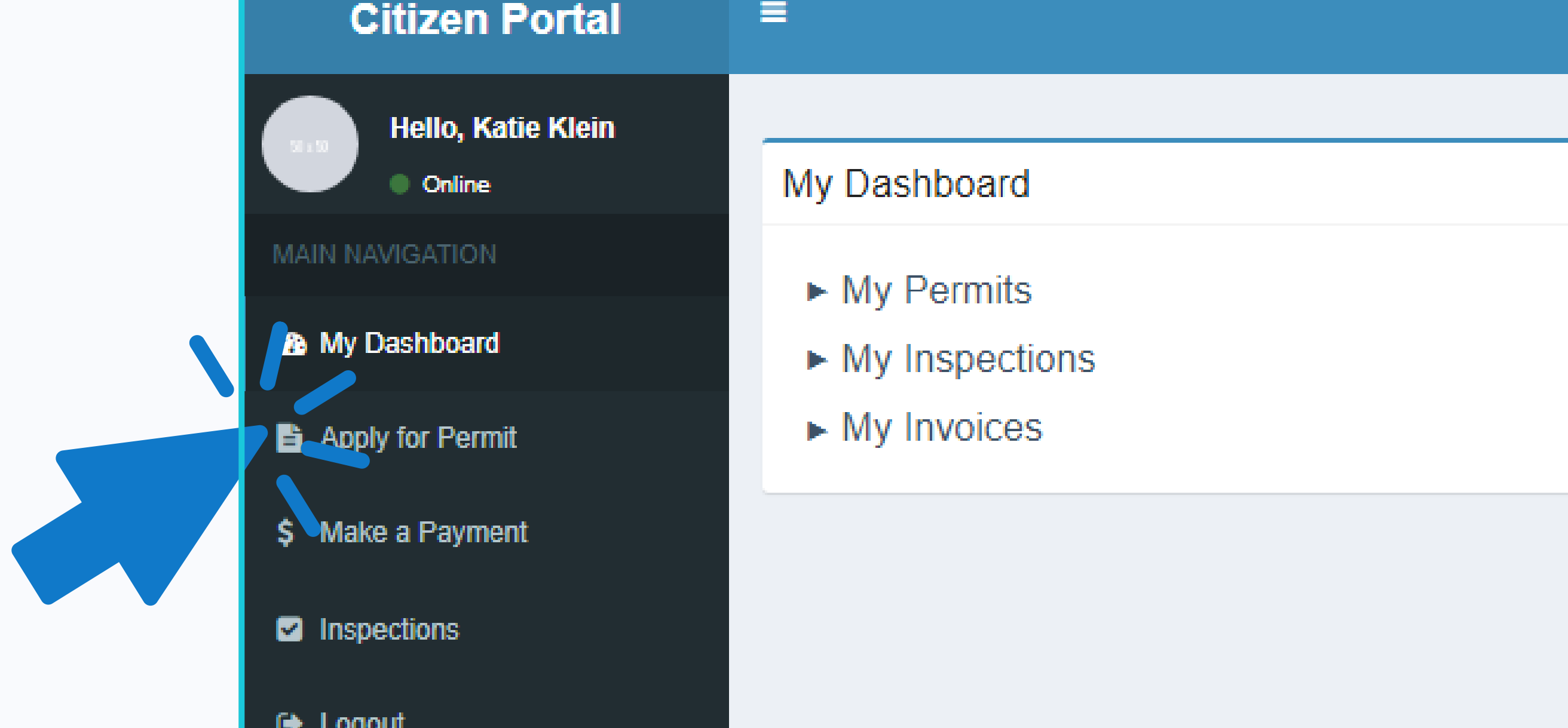
How to submit an application

LOG IN TO YOUR CITIZEN PORTAL ACCOUNT

04



https://www.civicgov4.com/tx_shadyshores/portal/index.php



Click Apply for Permit



Hello, Katiek

Online

MAIN NAVIGATION

-  My Dashboard
-  Apply for Permit
-  Make a Payment
-  Inspections
-  Logout

Permits



General Instructions

Each Permit will require the applicant to complete required information fields and upload copies of plans and other required documentation. The links below will identify the requirements. Please ensure you have all the required documents ready to upload prior to beginning the online application process. Applications that are submitted without the required documentation may delay the review process or cause the application to be rejected.

Application Instructions

Prior to submitting the application via our online portal, it is highly recommended that you first download the corresponding PDF Application and/or Checklist/Instructions. These reference documents provide the information needed to complete the application. Please review the documentation prior to successful online submittal. **The PDF Application is for reference only.**

Filter By:

Permit Type

▼

Enter search terms here..

Permit Type ^	Permit Application / Use ↕	Checklist ↕	Apply Online ↕
Residential	Accessory Structure	Checklist	Apply Online
Residential	Carports	Checklist	Apply Online

Select Permit Type from the list- apply online

Step 1 will open, double check permit use

Apply For Permit

▼ Step 1: Select Permit Type & Use

Permit Type *

Residential

Permit Use *

Accessory Structure



Citizen Portal

Hello, Katiek

Online

MAIN NAVIGATION

My Dashboard

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Logout

Apply For Permit

Step 1: Select Permit Type & Use

Step 2: Select Land, Building or Suite Location

To search for land records or buildings and suites (stores/classrooms/offices or areas within a building), users can enter any field information below and generate the search.

Once the location is identified, clicking the live link id number will create the permit application at the location selected.

If the user cannot find the required location, please contact the municipality for assistance.

Building Name

Land Address

Suite Name

Parcel Number

test

Owner Name

Generate Search Results

Parcel Number	Owner Name	Land Address	Building Location Id	Building Location	Suite Name
	CivicPlus	555 Mockingbird Lane			1574-0003 suite #1 (Retired)
	CivicPlus	555 Mockingbird Lane			1574-0004 suite #2 (Retired)

Step 2

Identify the parcel the project will effect

Choose 1 search option

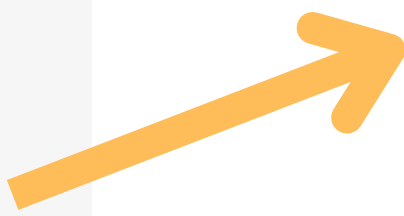
Land Address- physical address of the property

Parcel Number: Denton Cad Property ID #

Owner Name: as listed through Denton Cad

Page 44 of 54

Search results will begin to formulate- click on the parcel number that fits your project address



1: Select Permit Type & Use

2: Select Land, Building or Suite Location

1 for land records or buildings and suites (stores/classrooms/offices or areas within a building), users can enter any field information below and generate the search. location is identified, clicking the live link id number will create the permit application at the location selected. r cannot find the required location, please contact the municipality for assistance.

Building Name

Suite Name

Owner Name

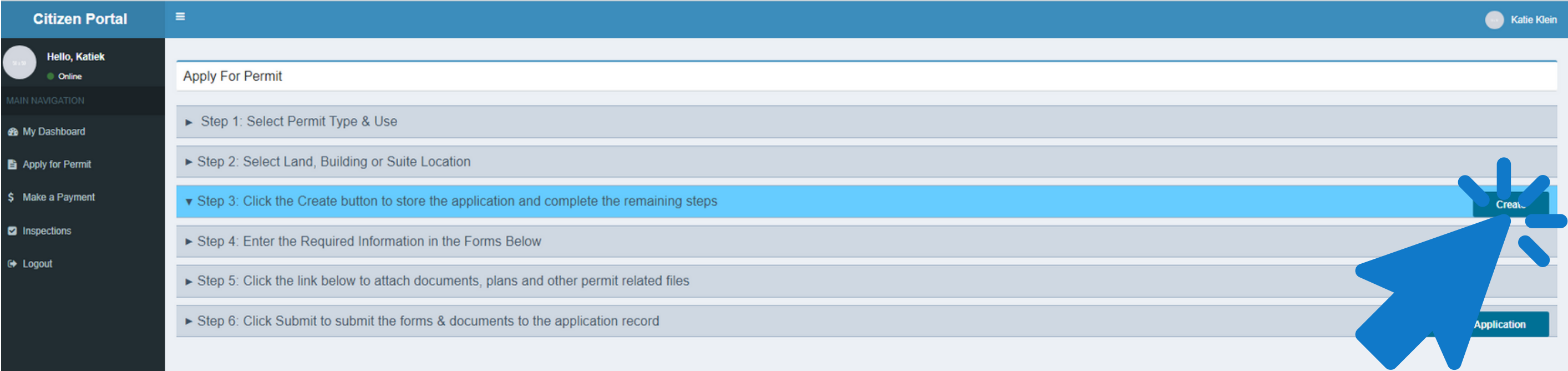
Land Address

Parcel Number

test

Generate Search Results

Parcel Number	Owner Name	Land Address	Building Location Id	Building Location	Suite Name	
test	CivicPlus	555 Mockingbird Lane	1574-0001 555 Mockingbird Lane	555 Mockingbird Lane CivicPlus	1574-0003 suite #1 (Retired)	555 Mockingbird Lane CivicPlus
	CivicPlus	555 Mockingbird Lane			1574-0004 suite #2 (Retired)	555 Mockingbird Lane CivicPlus
	CivicPlus	555 Mockingbird Lane			1574-0005 suite #3 (Retired)	555 Mockingbird Lane CivicPlus
	CivicPlus	555 Mockingbird Lane			1574-0006 suite #4 (Retired)	555 Mockingbird Lane CivicPlus
	CivicPlus	555 Mockingbird Lane			1574-0007 suite #5 (Retired)	555 Mockingbird Lane CivicPlus
	CivicPlus	555 Mockingbird Lane	1574-0002 555 Mockingbird Lane			



Step 3: Click Create

Step 4: Enter the information

PLEASE BE SURE TO FULLY COMPLETE THE APPLICATION. INCOMPLETE FORMS WILL BE REJECTED, CAUSING AN UNNECESSARY DELAY IN YOUR PROJECT SUBMISSION.

Click Save

Citizen Portal

Hello, Katie

Online

MAIN NAVIGATION

My Dashboard

Apply for Permit

Make a Payment

Inspections

Logout

Permit Application #A23-0254

▶ Step 1: Select Permit Type & Use

▶ Step 2: Select Land, Building or Suite Location

▶ Step 3: Click the Create button to store the application and complete the remaining steps

▼ Step 4: Enter the Required Information in the Forms Below

1) Portal Application - Large Accessory Buildings

Portal Application - Large Accessory Buildings

Large Accessory Buildings

Please Enter the Information Below

OWNER INFORMATION:

Name:

Phone:

Mailing Address:

Property Owner's Email Address:

Is Owner Applicant? ☐ Yes ☐ No

COMPANY/BUSINESS INFORMATION:

Legal Business Name:

Business Trade Name:

Business Address:

Business Email:

Business Legal Structure:

State License Number:

following the date of application, the application and plan review will expire. The town Does not assume responsibility for the workability of sanitary sewer on all lots. A Certificate of Occupancy must be issued before any building is occupied. The permit application must be presented with the applicant's original signature. All submittals sent by mail or delivered by courier should be submitted to the attention of the Town of Shady Shores Development Department

Type Full Name: Select One:

Select One

Signature: Date Signed:

*PLEASE REMEMBER TO CLICK **SAVE** BEFORE CLICKING COMPLETE APPLICATION**

Save

▶ Step 5: Click the link below to attach documents, plans and other permit related files

▶ Step 6: Click Submit to submit the forms & documents to the application record

▶ Step 7: Communicate with the Agency

Citizen Portal

Hello, Katiek

Online

MAIN NAVIGATION

My Dashboard

Apply for Permit

Make a Payment

Inspections

Logout

Permit Application #A23-0254

▶ Step 1: Select Permit Type & Use

▶ Step 2: Select Land, Building or Suite Location

▶ Step 3: Click the Create button to store the application and complete the remaining steps

▶ Step 4: Enter the Required Information in the Forms Below

▼ Step 5: Click the link below to attach documents, plans and other permit related files

[Click here to attach files to the case record](#)

Only jpg, pdf, png, gif, tif, doc, docx, ppt, pptx, xls, xlsx, txt, eml, mbox, msg, ogg, mp3, wma, wav, mp4, mkv, avi, mpeg, webm, mov, zip are allowed.

File Name
No results found.

Step 5: Attach Documents

NOTE: FOR PLANS PREPARED BY OTHER THAN A REGISTERED DESIGN PROFESSIONAL, THE PLANS SHALL BEAR THE NAME AND ADDRESS OF THE AUTHOR AND HIS OR HER OCCUPATION. PLANS PREPARED BY A REGISTERED DESIGN PROFESSIONAL SHALL BE STAMPED WITH VERIFIABLE ELECTRONIC SEAL AND SIGNATURE.

Citizen Portal

Hello, KatieK

Online

MAIN NAVIGATION

My Dashboard

Apply for Permit

Make a Payment

Inspections

Logout

Permit Application #A23-0257

Step 1: Select Permit Type & Use

Step 2: Select Land, Building or Suite Location

Step 3: Click the Create button to store the application and complete the remaining steps

Step 4: Enter the Required Information in the Forms Below

Step 5: Click the link below to attach documents, plans and other permit related files

Step 6: Click Submit to submit the forms & documents to the application record

Create

Complete Application

Your Application has been saved to the Town of Shady Shores Online Permit System. The application number is

Permit Application #A23-0257

Click on [My Dashboard](#) in the left menu to return to your dashboard

Navigate to [Permits Directory](#) to create another application

Continue working on updates to this application and click [Complete Application](#) to save changes.

Step 6: Complete Application

PLEASE BE SURE TO FULLY COMPLETE THE APPLICATION. INCOMPLETE FORMS WILL BE REJECTED, CAUSING AN UNNECESSARY DELAY IN YOUR PROJECT SUBMISSION.

Submission Reviewed

The submission will appear in our system and will notify the Permit Technician. The Permit Technician will review the application for completeness and review the plans for critical information.

Once this step is completed, an email will be sent requesting the Fee.

Please note this process takes time as applications are processed in the order they are received. The applicant will receive an email through Civicgov when the plan review process has started.

We appreciate your patience, as we know projects can be time sensitive.



Online

MAIN NAVIGATION

My Dashboard

Apply for Permit

Make a Payment

Inspections

Logout

Permit Application #A23-0257

▶ Step 1: Select Permit Type & Use

▶ Step 2: Select Land, Building or Suite Location

▶ Step 3: Click the Create button to store the application and complete the remaining steps

▶ Step 4: Enter the Required Information in the Forms Below

▶ Step 5: Click the link below to attach documents, plans and other permit related files

▶ Step 6: Click Submit to submit the forms & documents to the application record

▼ Step 7: Communicate with the Agency

Send Message

You can communicate with the signatory user of this permit or anyone who has sent you a message in the permit routing.

To User

community.relations@shady-shores.

Subject

Permit Application #23-0257 Location : 555 Third Lane

Message

Send

From User	Sent Date	Subject	Message
No results found.			

Step 7

Communicate with the Agency

Chose Recipient

Type Message

Send

The screenshot shows the 'Citizen Portal' interface. On the left is a dark sidebar with navigation links: 'My Dashboard' (highlighted with an orange arrow), 'Apply for Permit', 'Make a Payment', 'Inspections', and 'Logout'. The main content area is titled 'My Dashboard' and contains a section 'My Permits' (also highlighted with an orange arrow). Below this is a table of permits with filters for 'Open' and 'All'. The table has columns for Application Number, Permit Number, Parcel Number, Unit ID, Location, Permit Type, Permit Use, Status, and Action. It displays four rows of permit data, all with a status of 'Portal Submitted' and an 'Update View' link. An orange arrow points to the 'Update View' link in the first row.

Application Number	Permit Number	Parcel Number	Unit ID	Location	Permit Type	Permit Use	Status	Action
A23-0257		test		555 Mockingbird Lane	Residential	Mechanical (HVAC)	Portal Submitted	Update View
A23-0256		test		555 Mockingbird Lane	Residential	Culvert Construction	Portal Submitted	Update View
A23-0255		test		555 Mockingbird Lane	Residential	Carports	Portal Submitted	Update View
A23-0254		test		555 Mockingbird Lane	Residential	Accessory Structure	Portal Submitted	Update View

To review your submissions, go to the dashboard and click "My Permits"

To update submissions



Owner: CivicPlus
Contractor:
Parcel No.: test

Town of Shady Shores

101 S. Shady Shores Rd
Shady Shores, TX 76208
940-498-0044
development.permits@shady-shores.com

Issued: July 10, 2023
Expires: July 9, 2024

WORK PERMIT

Permit #: **23-0047**

Permit Type : Residential

Permit Use: Mechanical (HVAC)

Address: 555 Mockingbird Lane

Description of Work:

This notice is to be fastened on a part of the building for which it is issued where it may be seen plainly by all persons. All work at this location must be done in accordance with the Ordinances of the Building Code of the Town of Shady Shores, Texas.

**ONCE THE PERMIT IS APPROVED,
ALONG WITH YOUR
CONSTRUCTION DOCUMENTS YOU
WILL RECEIVE A PERMIT PLACARD
TO BE POSTED VISIBLY FROM A
PUBLIC WAY.**

**SUPPORT CAN BE
FOUND AT
940-498-0044 X 110
MONDAY-FRIDAY
8:30 AM - 3:00 PM**

