

AN ORDINANCE 2013-10-14-03

AMENDING THE LEON VALLEY CODE OF ORDINANCES CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1.01, "CODE OF ORDINANCES," TO ADD SECTION 1.11, "MEMORIAL NAMING/RENAMING OF CITY STREETS AND FACILITIES," AND AMENDING APPENDIX A, "FEE SCHEDULE," AND TO AMEND ARTICLE A.2.000, "ADMINISTRATIVE FEES," TO ADD SEC. A2.012, "MEMORIAL NAMING/RENAMING APPLICATION AND CONSIDERATION FEE" TO ESTABLISH A POLICY AND PROCEDURE FOR REQUESTING MEMORIALIZATION OF CITY STREETS AND/OR FACILITIES

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

1. "Article 1.11 Memorial Naming/Renaming of City Street and Facilities is hereby amended as follows:

**Sec. 1.11.001 Definitions**

*Facility.* Shall mean anything that is built, constructed, installed, grown, or established to perform or be used for a particular function or to serve or facilitate some particular purpose. This shall include but not be limited to recreational and sports buildings and areas, community centers, fire and police stations, office building, theaters, parks, hiking or nature trails, refuges, convention centers, bridges, fountains, monuments, gardens, or gazebos.

*Street.* Shall mean any public highway or road within the city limits.

*Significant reason.* Shall mean a thoughtful, important, notable, or meaningful explanation or justification for action.

**Sec.1.11.002 Renaming of City Streets or Building Name Designation**

No streets or buildings shall be memorialized or renamed within the limits of the city until the name for said street or building has been approved by the city council.

**Section 1.11.003 Exclusions**

This section shall not apply to street names as approved as part of new residential or commercial building projects or subdivisions (see Article 3.10 "Streets and Sidewalks," Section 3.10.001 for requirements).

**Sec. 1.11.004 Choice of names**

- (a) In all cases, the name choice should reflect and be appropriate for the street or building proposed for renaming or naming. The name choice shall also reflect the

street or facility's location, character, and history in the context of the City of Leon Valley.

- (b) If the name is to honor a living person, caution should be exercised to ensure that the person is of such a character that the name shall still hold honor upon that person's death.
- (c) Although the choices for a name are unlimited, names generally should be chosen to reflect:
  - (1) The location, geographical area or feature;
  - (2) Names which memorialize nations or state leaders or figures;
  - (3) Names which memorialize Leon Valley local leaders or persons;
  - (4) Mascots or characters of folklore and fiction;
  - (5) Events or dealings of historical significance;
  - (6) Ideals or goals both nationally or locally;
  - (7) Facilitator or benefactors of property, streets or facilities; or
  - (8) Traditional names which reflect the type of facility and its number, division and/or precinct.
- (d) Significant reasons for renaming a street include the following:
  - (1) to establish continuity of a street name;
  - (2) to eliminate duplication of name spelling phonetics
  - (3) to correct a misspelling;
  - (4) to enhance the ease of arriving at a location;
  - (5) for consistency with the street numbering system;
  - (6) to provide necessary roadway designation, including "street," "road," "lane," "circle," "drive," or "boulevard";
  - (7) to honor a person, place, institution, group, entity, or event; or
  - (8) to enhance a neighborhood area by way of association of the street name with the location, characteristics and historical significance.

- (e) Significant reasons for naming City building or facilities include, but are not limited to, the honoring of a person(s), a place, an institution, group, entity, or event/special event.

**Sec. 1.11.004 Application For Naming/Renaming**

- (a) Application shall be made to the Office of the City Secretary specifying the street renaming request. The process may be initiated by any of the following parties:
  - (1) A member of the Leon Valley City Council;
  - (2) The City Secretary, if it is determined that the street name change is in the best interest of the health, safety, welfare, and public convenience of the citizens of the City of Leon Valley;
  - (3) A group, agency, business or owner of property located in the subject street; or
  - (4) An officer or authorized representative of a government subdivision, agency, or department.
- (b) Fees shall be rendered as prescribed in accordance with the Leon Valley City Code, Appendix A, "Fee Schedule," Article A2.000, "Administrative Fees," new Sec.A2.012, for street and facility naming or renaming.
- (c) A thirty (30) day comment period must occur prior to City Council consideration.
- (d) Setting the proposed date of City Council consideration shall cause notice to be served:
  - (1) By mail to all residents or businesses within a two-hundred (200) foot radius of the facility to be named or renamed; or
  - (2) By mail to all residents, businesses and owners of the properties on the street to be named;
  - (3) By public service announcement, press releases, or other appropriate community bulletins to the entire city.

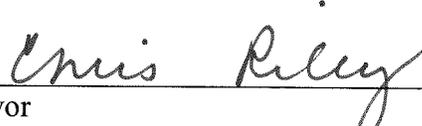
**2. "Appendix A, "Fee Schedule," Article A2.000, "Administrative Fees," is hereby amended to include:**

Sec. A2.012, "Memorial Naming/Renaming Application and Consideration Fee:

- (a) Application and Consideration: \$1,000.00.
- (b) Costs associated with the manufacturing and placement of the signs is the responsibility of the requestor.

3. Violation of these articles shall be punishable by a fine of up to five hundred dollars (\$500.00), unless some other fine is specifically prescribed for a particular violation.
4. That this ordinance shall be cumulative of all provisions of the City of Leon Valley, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinance, in which event the conflicting provisions of such Ordinance are hereby repealed.
5. That it is hereby declared to be the intention of the City Council of the City of Leon Valley that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, clause, sentence, paragraph or section.
6. That all rights and privileges of the City of Leon Valley are expressly saved as to any and all violations of the provision of any Ordinances affecting the substance of this Ordinance which have accrued at the time of the effective date of this Ordinance; and, as to such accrued at the time of the effective date of this Ordinance; and, as to such accrued violation and all pending litigation, both civil and criminal, whether pending in court or not, under such Ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.
7. This ordinance shall become effective on and after its passage, approval and publication as prescribed by law.

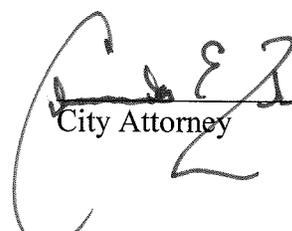
PASSED and APPROVED this 14<sup>th</sup> day of October, 2013.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney



## MAYOR AND COUNCIL COMMUNICATION

M&C #2013-10-14-13

**DATE:** October 14, 2013

**TO:** MAYOR AND CITY COUNCIL

**FROM:** Manuel Longoria, Jr., City Manager

**SUBJECT:** AMENDING THE LEON VALLEY CODE OF ORDINANCES CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1.01, "CODE OF ORDINANCES," TO ADD SECTION 1.11, "MEMORIAL NAMING/RENAMING OF CITY STREETS AND FACILITIES," AND AMENDING APPENDIX A, "FEE SCHEDULE," AND TO AMEND ARTICLE A.2.000, "ADMINISTRATIVE FEES," TO ADD SEC. A2.012, "MEMORIAL NAMING/RENAMING APPLICATION AND CONSIDERATION FEE" TO ESTABLISH A POLICY AND PROCEDURE FOR REQUESTING MEMORIALIZATION OF CITY STREETS AND/OR FACILITIES

### PURPOSE

This proposed ordinance establishes a new section in the City Code and a policy for reviewing and considering requests by individuals and businesses for the renaming of existing City Streets or Facilities.

In order to ensure that an efficient and timely process be followed for addressing requests for changing the name of a city street, staff has developed a policy and application process to be implemented upon City Council approval. This policy aligns with the 2013-2014 Strategic Goals by aligning City resources to meet City Council objectives and expectations, and pursuing revenue to enhance City operations.

Establishing a fee for this new policy requires that the City Code be amended in accordance with the Leon Valley City Code, to insert Appendix A, "Fee Schedule," Article A2.000, "Administrative Fees," new Sec.A2.012, for street and facility naming or renaming. The fee will consist of a non-refundable application processing fee of \$1,000.00 which is intended to allow the City to recoup some costs associated with administrative costs, such as printing and postage required for the notification process and installation by City crews. The applicant, unless it is a request of the City of Leon Valley, will be responsible for paying all necessary application fees at the time of submission to the City Secretary.

The procedure developed will require individuals requesting a change to the name of a City street or add a memorial designation to a street or City Facility, must file an application with the City Secretary. Once an application is received, the City Secretary will determine if the application is complete or incomplete within 10 business days of the date of receipt of the application and associated fees. If the application is deemed complete, a technical review process and appropriate due diligence will be initiated in close coordination with the Community Development Department. Staff within the Community Development Department will be available to provide assistance to applicants in order to guide them through the process.

As part of the City's due diligence, a 30 day public comment period will be initiated prior to the request being placed on a future City Council meeting agenda full Council consideration.

**FISCAL IMPACT**

Currently, there is not a fee schedule or an existing standard policy associated with renaming city streets or facilities. This action would constitute a new fee for the City in the amount of \$1,000 per application, and requires the applicant to provide necessary costs for the manufacturing of the proposed signage, thus minimizing impacts to the Adopted Budget.

**RECOMMENDATION**

Staff recommends approval of this ordinance to establish a policy and procedure that will provide guidance for the process of renaming streets and facilities, and also enables the City to recover some of the incurred costs during a renaming process. This proposed policy and Code amendment provides an efficient and thorough process to follow by City staff and applicants.

**S.E.E. IMPACT STATEMENT**

These policies addresses S.E.E. impact statements related to Social Equity and Economic Development by providing fair and prompt procedures to address requests by individuals or businesses for street or facility name changes that would ultimately enhance the appearance of City structures, while ensuring that a clear public process is utilized.

Social Equity – The creation of a policy and procedural/operational process creates a fair environment for application.

Economic Development – Initiating standards for street and building memorialization can have a positive effect on economic development if utilized in the correct contexts.

Environmental Stewardship – Signage should not have an adverse impact on the environment and this policy will help to ensure this goal.

APPROVED: \_\_\_\_\_ ✓ \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

APPROVED WITH THE FOLLOWING AMENDMENTS: \_\_\_\_\_

\_\_\_\_\_

ATTEST:

Leticia Callanen  
Leticia Callanen, Interim City Secretary