

ORDINANCE NO.1565

AN ORDINANCE OF THE CITY OF LLANO, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 86, STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES, ARTICLE I, IN GENERAL; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; ESTABLISHING AN EFFECTIVE DATE; PROVIDING FOR PROPER NOTICE AND MEETING.

WHEREAS, the City of Llano (“City”) is a Type A general law municipality; and

WHEREAS, pursuant to Texas Local Government Code § 51.001, the City Council of the City of Llano, Texas (“City Council”) has the authority to adopt, publish, amend or repeal an ordinance that is for the good government, peace or order of the City; and

WHEREAS, pursuant to § 311.002 of the Texas Transportation Code the City has exclusive control over the highways, streets, and alleys within the City; and

WHEREAS, pursuant to § 311.003 of the Texas Transportation Code the City Council may require a person to keep weeds, unclean matter, or trash from the street, sidewalk, or gutter in front of the person's premises and require the owner of land to improve the sidewalk in front of the person's land; and

WHEREAS, the City Council desires to amend its current regulations regarding streets, sidewalks, and alleys; and

WHEREAS, the City Council is of the opinion and finds that the adoption of these amendments to the City’s ordinances will promote the public health, safety, or general welfare;

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

I.

Chapter 86, Streets, Sidewalks, and Other Public Places, Article I, In General of the Code of Ordinances of the City of Llano, Texas is hereby amended in its entirety to read as follows:

ARTICLE I IN GENERAL

§ 86-1. Placement and Removal of Items.

- (a) No person shall place any personal property, materials, goods, wares, merchandise, or similar items of any kind in or upon any public street, sidewalk, alley, or right-of-way of the City.

- (b) No person shall place, deposit, or leave in or upon any public or private property, public street, alley, sidewalk, rights-of-way, park, or other City building or property any waste materials, trash, weeds, bottles, glass, cans, pieces of scrap metal, metal articles, paper or other accumulation of debris or items other than placement of refuse for collection.
- (c) No person shall deposit or throw on any public grounds, streets, alleys or sidewalks any earth, ashes or other material whatsoever, or remove any earth, stone or other material from any street, square, alley, sidewalk or other public ground or place without approval from the City.

§ 86-2. Maintenance.

- (a) No owner or occupant of any property shall allow or permit any trees, shrubs, or other plant growth on the property to impede, obstruct, or interfere with the free passage and movement upon any public street, sidewalk, or alley; impede the visibility of drivers; or interfere with any traffic control device or signs or street lighting. Tree limbs must be maintained to hang no lower than thirteen and one-half feet (13.5') above any public street or alley and eight feet (8') above any public sidewalk. Trees below eight feet (8'), shrubs, or other plant growth must be maintained to not encroach on any public sidewalk and so as not to impede visibility of drivers.
- (b) No person owning or occupying any property fronting on any street, alley, or public place in the City shall allow grass or weeds to grow in a way that is characterized as uncontrolled, unmaintained, or overgrown, including those areas between the property line and the street.
- (c) No person shall allow the sidewalk in front of any property owned or controlled by them to become unclean in any manner, out of repair, or in such a condition from any cause so as to interrupt or make dangerous the free passage or movement on such sidewalk.

§ 86-3. Portion of Sidewalk, Street, Alley to Maintain.

- (a) A person in control of any land abutting a sidewalk, alley, or street must maintain the portion of the sidewalk, alley, or street as follows:
 - (1) Any portion of a street that has been opened for public use between the curb line, or if there is no curb line, the edge of pavement, and the abutting property line, including sidewalks placed thereon.
 - (2) One-half (½) of the width of abutting alleys (from the property line to the centerline of the alley).

(3) Any portion of a street/alley abutting the boundaries of a parcel of land, which street/alley has not been opened for public use, shall be maintained by those persons who dedicated the street/alley or their successors in interest, including lessees and other persons in control of the land abutting the street/alley; provided that if the abutting land on either side of such street/alley is owned by different persons, then the owner, lessee or other person in control of the land shall only be required to maintain one-half (½) of the width of the street/alley abutting their land.

(b) It is unlawful for any person in control of any land abutting a sidewalk, alley, or street to fail to maintain the land abutting a sidewalk, alley, or street as described in this section.

§ 86-4. City Maintenance of Alleys.

The City only maintains alleys or portions of alleys when required to provide city utility services or to abate a nuisance. This maintenance is limited to removing overgrowth when access is required and maintaining a driving surface suitable for the City's heavy equipment to reach the utilities located in the alley. Maintenance of the driving surface of all other alleys shall be the responsibility of the abutting property owners. Property owners must use a material that will not wash out to fill any potholes and must receive prior approval from the City before doing any maintenance.

§ 86-5. Signage Prohibited.

No person shall attach or place any sign, placard, poster, banner, or any other advertising device to any tree, public utility structure, traffic control device, streetlight standard, or any other device upon the public streets, alleys, sidewalks, or rights-of-way unless a permit, license or other approval has been given by the City.

§ 86-6. Violations.

Any violation of any of the provisions of this chapter shall be considered a misdemeanor and shall be punished as provided for in § 1-13.

II.

The provisions of this Ordinance shall be cumulative of all other ordinances or parts of ordinances governing or regulating the same subject matter as that covered herein; provided, however, that all prior ordinances or parts of ordinances inconsistent or in conflict with any of the provisions of this Ordinance are hereby expressly repealed to the extent that such inconsistency is apparent.

III.

If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Llano hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.


IV.

This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.

V.

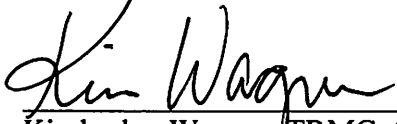
It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED on this the 7th day of July, 2025.



Hon. Laura Almond, Mayor
City of Llano, Texas

ATTEST:



Kimberley Wagner, TRMC, CPM, City Secretary
City of Llano, Texas