



TOWN ATTORNEY

To: Mayor and Town Council

From: Terrence S. Welch, Town Attorney

Through: Mario Canizares, Town Manager

Re: Amendment to High Weeds and Grass Ordinance

Town Council Meeting – March 24, 2026

Strategic Visioning Priority: Provide Excellent Municipal Services

Agenda Item:

Consider and act upon an ordinance amending Section 6.03.002, “Regulation of weeds, rubbish, brush, and other objectionable, unsightly, or unsanitary matter,” of Article 6.03, “Maintenance of Property,” of Chapter 6, “Health and Sanitation,” of the Town’s Code of Ordinances by defining a nuisance and extending nuisance control areas 5,000 feet outside the Town’s corporate boundaries, pursuant to state law.

Description of Agenda Item:

At the March 10, 2026, Town Council meeting, an ordinance was adopted that provided when noise may be considered a nuisance. As was addressed in the documentation describing when noise may constitute a nuisance, state law provides that the governing body of a municipality may undertake measures to address any nuisance within the limits of the municipality. Additionally, pursuant to Section 217.042 of the Texas Local Government Code, the Town, as a home-rule municipality, may define and prohibit any nuisance within the limits of the Town and within five thousand feet (5,000’) outside the corporate limits of the municipality and further, may enforce all ordinances necessary to prevent and summarily abate and remove a declared nuisance. The attached amendment to Section 6.03.002 accomplishes this by providing that weeds, rubbish, brush and other objectionable, unsightly or unsanitary matter may constitute a nuisance both in the corporate limits of the Town and within the foregoing 5,000-foot area. As such, the Town may regulate such nuisances both inside the Town’s corporate limits and in the 5,000-foot area.

Budget Impact:

There is no financial impact to the Town.

Legal Obligations and Review:

Terrence S. Welch of Brown & Hofmeister, L.L.P., has approved the attached documents as to form and legality.

Attached Documents:

1. Draft Ordinance

Town Staff Recommendation:

Town Staff recommends the Town Council approve the attached ordinance.

Proposed Motion:

I move to approve an ordinance amending Section 6.03.002, "Regulation of weeds, rubbish, brush, and other objectionable, unsightly, or unsanitary matter," of Article 6.03, "Maintenance of Property," of Chapter 6, "Health and Sanitation," of the Town's Code of Ordinances by defining a nuisance and extending nuisance control areas 5,000 feet outside the Town's corporate boundaries, pursuant to state law.