

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CANEY CITY, TEXAS, ESTABLISHING AN ORDINANCE COMPLIANCE AND COMPLAINTS COMMITTEE; DEFINING ITS OVERSIGHT ROLE FOR ORDINANCE REVIEW AND COMPLAINT PROCESSING; ESTABLISHING A FORMAL PROCESS FOR RECEIVING AND REVIEWING COMPLAINTS; CLARIFYING THE ROLES OF CITY STAFF, THE POLICE DEPARTMENT, AND THE GOVERNING BODY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Caney City, Texas, a Type B general-law municipality in Henderson County, operates under Texas Local Government Code Chapters 23 and 51, governed by a City Council consisting of a Mayor and five Council Members, with a quorum of the Mayor and three Council Members required for official action; and

WHEREAS, a formal, transparent, fair, consistent and inclusive process is needed to handle ordinance compliance and complaints; and

WHEREAS, the City Council seeks to ensure that all Council Members participate fully and equally in governance while maintaining fairness and impartiality; and

WHEREAS, public notice and hearing requirements have been met in accordance with applicable law;

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

SECTION 1. ESTABLISHMENT AND PURPOSE.

(a) Establishment.

The Ordinance Compliance and Complaints Committee ("Committee") is hereby established as a standing advisory committee to the City Council. The Committee shall operate in accordance with Ordinance No. 2025-01, which sets forth procedures for the formation, appointment, and operation of City committees.

The Committee shall function in an advisory capacity. The Committee will perform prescribed in-depth review and analysis and thus is considered to have limited decision-making authority.

All supervisory, and policy-making, shall remain solely with the City Council. Enforcement authority shall reside with contracted code enforcement officers or other authorized officials.

The Committee shall maintain sub-quorum status and shall therefore remain exempt from full Texas Open Meetings Act (TOMA) requirements in accordance with Ordinance No. 2025-01.

SECTION 2. COMPOSITION AND APPOINTMENTS.

(a) Composition.

The Committee shall consist of two (2) Council Members and, where feasible, up to one (1) resident member representing West Caney and up to one (1) resident member representing East Caney. The Committee may operate with only the Council Members if no residents volunteer.

(b) Qualifications.

Members shall be residents or property owners of Caney City for at least six (6) months prior to appointment, have no outstanding City debts, and shall not hold other City offices or employment except as otherwise permitted by law.

(c) Appointments.

Appointments shall be made by majority vote of the City Council for two-year staggered terms. Members may continue to serve beyond their term upon majority vote of the Council, provided they continue to meet all qualifications and no new applicants have expressed interest in serving.

(d) Officers.

The Committee shall elect a Chair annually by majority vote of its members. The Chair may be a non-Mayor Council Member or a resident representative.

(e) Police or Authorized Official.

A Police Officer or other legally authorized officer shall attend Committee meetings as a non-voting participant, upon request of the Committee.

(f) Removal.

Committee members may be removed for cause in accordance with Ordinance No. 2025-01.

SECTION 3. COMMITTEE PURPOSE, SCOPE AND DUTIES.

The Committee shall serve in an advisory role with limited decision making relating to ordinance matters and community compliance. The Committee shall:

- Meet at least twice monthly to review and discuss/deliberate on complaints or ordinance compliance concerns;
- Review enforcement activity performed by contracted code enforcement staff including letters sent and outcomes;
- Identify trends in violations;
- Provide a written summary to the City Council at least monthly, including high-level activity, issues, trends, major areas of out-of-compliance;

- Document current ordinance enforcement processes and procedures and identify opportunities for improvement. Develop recommendations for Council review and approval;
- Develop a proposed Code Enforcement Program that begins with fostering opportunities for increasing voluntary compliance with City Ordinances;
- Plan, recommend, and promote community clean-up activities or public awareness programs, with City Council approval;
- Encourage voluntary compliance and enhance civic pride through education and engagement initiatives, with City Council approval;
- Develop a complaint intake and resolution tracking system in coordination with the City Secretary and the code enforcement officer or other legally authorized officer;
- Develop opportunities for information sharing and education about code enforcement;
- Increase education, awareness and understanding of City Ordinances.

SECTION 4. BACKGROUND & PROCESS FOR RECEIVING AND REVIEWING COMPLAINTS.

a) Receipt of Complaints.

There are three avenues for complaint intake:

- Complaints or concerns may be submitted to the City Secretary by phone, in person, or through a City-provided complaint form. Anonymous complaints may be accepted if sufficiently detailed to assess next steps.
- Calls can also be made by residents directly to the code enforcement officer or by calling 911(?)
- Through community patrols and outreach, ordinance violations may also be identified by the code enforcement officer or other legally authorized police officer.

b) Enforcement Actions

- The contracted code enforcement authority for the City or other legally authorized officer is responsible for independent enforcement of approved City ordinances.
- As a general rule, an initial contact should be made within XXX business day or less
- Contracted code enforcement staff or other legally authorized police officer shall develop a communication protocol with the City Secretary and the Committee to ensure that actions taken and responses to the complaint can be adequately documented.

c) Tracking, Review and Follow-Up.

- The City Secretary shall maintain a tracking system that reflects all actions taken for all aspects of the complaint intake and resolution process. The tracking system shall document responses and follow-up actions related to each complaint or inquiry.
- The Committee shall review information from the tracking system at least twice monthly to determine the following:
 - All complaints received have been properly entered into the tracking system
 - An initial contact with the subject of the complaint was made within XXXXXXXX days
 - Consistent interpretation of the ordinance and/or identification of inconsistencies
 - Reasonable timelines for remediation, in accordance with the applicable ordinance
 - Avoidance of selective enforcement

- Council Members shall have access to any records, reports, or materials related to ordinance compliance or complaints.

d) Appeals or Clarifications.

Residents seeking clarification or further discussion may request assistance through City staff. Records of such requests shall be retained and handled according to applicable open records laws.

SECTION 5. MAYORAL INVOLVEMENT.

The Mayor may attend meetings of the Committee as a non-voting observer, by majority vote of the Committee. If the Mayor's attendance would create a quorum of the City Council, the meeting shall comply with TOMA requirements or be adjourned.

SECTION 6. SEVERABILITY.

If any section, paragraph, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its passage and approval by the City Council of the City of Caney City, Texas.

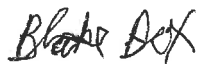
PASSED AND APPROVED THIS 11 DAY OF June, 2026

APPROVED:



Mayor

ATTEST:



City Secretary

APPROVED AS TO FORM:

City Attorney:

