

CITY OF FROST, TEXAS

COUNCIL ACTION SUMMARY



Meeting Date: August 3, 2026

Agenda Item: 10

Subject: Discussion and possible action to approve Ordinance No. 342 amending Chapter 14 (Zoning) of the City of Frost Code of Ordinances to relocate regulations governing Temporary Uses, including Garage Sales and Public Dances, as part of the City's Code Modernization Project.

ORDINANCE AT A GLANCE

Purpose

Amend Chapter 14 (Zoning) to relocate existing regulations governing Temporary Uses, including Garage Sales and Public Dances, into the City's zoning regulations as part of the Code Modernization Project.

Project

Code Modernization Project
Chapter 14 – Temporary Uses

Project Philosophy

This ordinance is an organizational and administrative modernization of Chapter 14. The proposed amendments relocate existing regulations from Chapter 4 (Business and Commerce) into Chapter 14 (Zoning), where temporary land use regulations are more appropriately maintained. No substantive changes to City policy are proposed unless specifically identified within the ordinance.

Financial Impact

None.

This ordinance does not create new fees, costs, or financial obligations.

Key Highlights

- Establishes a dedicated Temporary Uses section within Chapter 14 (Zoning).
 - Relocates regulations governing Garage Sales into the Temporary Uses section.
 - Relocates regulations governing Public Dances into the Temporary Uses section.
 - Improves the organization and readability of the Code of Ordinances.
 - Supports the City's ongoing Code Modernization Project.
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COUNCIL ACTION REQUEST

Approval of Ordinance No. 342 will:

- Establish a dedicated Temporary Uses section within Chapter 14 (Zoning).
 - Relocate regulations governing Garage Sales into the Temporary Uses section.
 - Relocate regulations governing Public Dances into the Temporary Uses section.
 - Improve the organization of the City's zoning regulations.
 - Preserve existing City policy while improving the structure of the Code of Ordinances.
 - Continue implementation of the City's Code Modernization Project.
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BACKGROUND

During the City's review of Chapter 4 (Business and Commerce), it was determined that several provisions regulate temporary activities occurring on property rather than business operations. These activities—including Garage Sales and Public Dances—are more appropriately addressed as Temporary Uses within Chapter 14 (Zoning).

As part of the City's Code Modernization Project, a dedicated Temporary Uses section is being established within Chapter 14 to consolidate these types of activities into a single, logical location.

Relocating these provisions improves the organization of the Code of Ordinances, simplifies administration, and preserves the City's existing regulatory authority without making substantive policy changes.

WHAT IS CHANGING

Code Organization

- Establishes a dedicated Temporary Uses section within Chapter 14 (Zoning).
- Relocates regulations governing Garage Sales into the Temporary Uses section.
- Relocates regulations governing Public Dances into the Temporary Uses section.
- Updates chapter references and section numbering.
- Improves the organization and readability of the Code of Ordinances.

Zoning Administration

- Groups temporary land use regulations within the City's zoning chapter.
- Improves consistency among temporary use regulations.
- Simplifies future administration and code maintenance.

PRESERVATION OF EXISTING POLICY

The proposed ordinance is intended to preserve the City's existing temporary use regulations while improving the organization and administration of the Code of Ordinances. Accordingly, this ordinance preserves:

- Existing regulations governing Garage Sales.
- Existing regulations governing Public Dances.
- Existing permitting requirements.
- Existing enforcement authority.
- Existing standards applicable to Temporary Uses.
- Existing zoning authority.

The ordinance does **not** create new temporary uses, expand existing uses, or establish new City policy. Instead, it relocates existing regulations into the chapter of the Code where temporary land use regulations are most appropriately maintained.

WHY THIS MATTERS

One of the primary goals of the City's Code Modernization Project is to organize similar regulations together so they are easier to locate, administer, and enforce.

Temporary uses are land use activities that occur for a limited duration and are most appropriately administered within the City's zoning regulations. Creating a dedicated Temporary Uses section groups these activities together, making the Code more intuitive for residents, businesses, event organizers, and City staff.

Creating a dedicated Temporary Uses section also provides a logical location for future temporary land use regulations, allowing similar activities to be maintained together without changing the City's existing policies.

These improvements will:

- Improve transparency.
- Improve consistency throughout the Code.
- Make temporary use regulations easier to locate and understand.
- Simplify future code amendments.
- Support the City's long-term governance and modernization initiatives.

This ordinance completes the relocation of temporary land use regulations into Chapter 14, further advancing the City's goal of maintaining a Code of Ordinances that is organized, easier to administer, and more accessible to residents, businesses, and City staff.

FISCAL IMPACT

No fiscal impact is anticipated as a result of this ordinance.

This action is organizational in nature and does not create new revenues, expenditures, fees, or financial obligations.

LEGAL AUTHORITY

The City Council is authorized to adopt and amend zoning regulations under applicable provisions of the Texas Local Government Code. This ordinance supports the City's ongoing

effort to modernize and maintain its Code of Ordinances while preserving existing zoning authority.

ATTACHMENTS

1. Ordinance No. 342 – Chapter 14 (Temporary Uses) Amendments
2. Exhibit A – Chapter 14 Amendments
3. Chapter 14 Change Matrix

RECOMMENDED ACTION

Approve Ordinance No. 342 amending Chapter 14 (Zoning) of the City of Frost Code of Ordinances to relocate regulations governing Temporary Uses, including Garage Sales and Public Dances, as presented.

Prepared By:

Shannon Wayman

Mayor, City of Frost

ORDINANCE NO. 342

AN ORDINANCE OF THE CITY OF FROST, TEXAS, AMENDING CHAPTER 14 (ZONING) OF THE CODE OF ORDINANCES; CREATING ARTICLE 14.03 (TEMPORARY USES); RELOCATING CERTAIN GARAGE SALE AND PUBLIC DANCE PROVISIONS FROM FORMER CHAPTER 4 INTO CHAPTER 14; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council previously adopted amendments to Chapter 4 (Business Regulations) as part of the City's ongoing code modernization project; and

WHEREAS, during the Chapter 4 reorganization, provisions relating to garage sales and public dances were identified for relocation to a future Temporary Uses article within Chapter 14 (Zoning); and

WHEREAS, the City Council desires to complete those relocation items and place temporary use regulations within the City's zoning ordinance where they are more appropriately located; and

WHEREAS, the City Council finds that adoption of this Ordinance serves the public health, safety, and welfare;

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

SECTION 1.

Chapter 14 of the Code of Ordinances is hereby amended by adding Article 14.03, Temporary Uses, as set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION 2.

The City Secretary and codifier are authorized to make non-substantive numbering, formatting, grammatical, and cross-reference corrections necessary to implement this Ordinance.

SECTION 3.

It is the intent of the City Council that the provisions of this Ordinance shall be codified and incorporated into the Code of Ordinances of the City of Frost.

SECTION 4.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed only to the extent of such conflict.

SECTION 5.

Should any section, subsection, sentence, clause, phrase, or provision of this Ordinance be held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 6.

This Ordinance shall become effective immediately upon its adoption and publication as required by law.

PASSED AND APPROVED by the City Council of the City of Frost, Texas, on this ____ day of _____, 2026.

Shannon Wayman, Mayor

ATTEST:

Juli Reeves, City Secretary

EXHIBIT A
CITY OF FROST, TEXAS

CHAPTER 14 (ZONING)

Chapter 14 is hereby amended by adding Article 14.03, Temporary Uses, to read as follows:

ARTICLE 14.03
TEMPORARY USES

Sec. 14.03.001. Purpose.

The purpose of this article is to establish regulations for certain temporary uses occurring within the City and to provide standards intended to protect the public health, safety, and welfare while allowing reasonable temporary activities.

Sec. 14.03.002. Garage Sales.

(a) Definition.

Garage sales shall mean and include all sales entitled "garage sale," "yard sale," "attic sale," "rummage sale," "flea market sale," or any similar casual sale of tangible personal property, not associated with a commercial business properly licensed with the State of Texas to collect sales tax, which is advertised by any means whereby the public at large is or can be made aware of the garage sale.

(b) General Restrictions.

(1) Property sold must belong to the individual or persons conducting the sale, at least one of whom must reside on the premises where the sale is being held.

(2) Merchandise offered for sale shall not include items purchased for the purpose of resale, but shall consist only of privately owned, used goods, wares, and merchandise.

(3) The sale shall be conducted in a manner that does not cause or create a disturbance or nuisance in the neighborhood.

(c) Duration and Frequency.

Garage sales shall not be conducted for more than three (3) consecutive days between the hours of sunrise and sunset and shall not be conducted more than three (3) times per calendar year.

(d) Signage.

Any temporary sign for the occasional sale of personal household goods, typically displayed in a residential area or on the property of a nonprofit organization, shall comply with the following requirements:

(1) Off-premises garage sale signs must be approved by the private property owner on whose property the sign is placed.

(2) Maximum height: Three (3) feet.

(3) Placement: On private property only. Signs shall not be mounted on public or utility structures located within public rights-of-way or easements.

(4) Maximum number: Three (3) signs on the property where the sale is being held and one (1) sign on any property not hosting the sale.

(5) Duration: Signs may be displayed beginning at 5:00 p.m. on the day preceding the sale and shall be removed no later than 8:00 a.m. on the day following the sale. A fine may be assessed for signs not removed as required.

(e) Permit Required.

No garage sale shall be conducted without a permit issued by the City. Applications shall be submitted sufficiently in advance to allow issuance of the permit at least three (3) days prior to the first day of the sale.

(f) Removal of Tables, Booths, and Related Items.

The residents of the property where the garage sale is held shall remove, within twenty-four (24) hours following the conclusion of the sale, all tables, booths, showcases, and similar items associated with the sale and shall restore the premises to substantially the same condition that existed prior to the sale.

Sec. 14.03.003. Public Dances.

(a) Definitions.

Public Dance. Any dance or ball to which admission may be gained through the payment of a fee, by the purchase, possession, or presentation of a ticket or token, by payment of a charge for caring for clothing or other property, or any dance to which the public generally may gain admission with or without payment of a fee.

Public Dance Hall. Any room, place, or space in which a public dance or public ball is held.

(b) Applicability.

The provisions of this section shall not apply to private dances conducted in private homes or to dances conducted by reputable and permanently organized clubs, societies, or corporations where attendance is restricted to members and their guests.

The provisions of this section shall apply whenever admission may be obtained through payment of a fee, by the purchase, possession, or presentation of a ticket or token, by payment of a charge for caring for clothing or other property, or whenever the public generally may gain admission with or without payment of a fee.

Sec. 14.03.004. Compliance.

All temporary uses regulated by this article shall comply with applicable federal law, state law, and City ordinances.

**CITY OF FROST
TEMPORARY USES RELOCATION
CHANGE MATRIX**

Former Section	Subject	Action	New Location	Notes
4.09.001	Garage Sale Definition and General Restrictions	Relocated	14.03.002(a)-(b)	No substantive change
4.09.002	Duration and Frequency	Relocated	14.03.002(c)	No substantive change
4.09.003	Signage	Relocated	14.03.002(d)	No substantive change
4.09.004	Permit Requirement	Relocated	14.03.002(e)	Permit requirement retained
4.09.004	Permit Fee	Deferred	DR-024	Future Fee Schedule review
4.09.004	Permit Administration and Revocation Procedures	Deferred	DR-025	Future Administrative Procedures review
4.09.005	Removal of Tables, Booths, and Related Items	Relocated	14.03.002(f)	No substantive change
4.09.006	Penalty	Not Relocated	Existing General Penalty Provisions	Existing Code provisions govern enforcement

Former Section	Subject	Action	New Location	Notes
4.07.001	Public Dance Definitions	Relocated	14.03.003(a)	No substantive change
4.07.002	Dance Hall License Program	Deferred	DR-028	Future Chapter 14 modernization review
4.07.002	Dance Hall License Fee	Deferred	DR-026	Future Fee Schedule review
4.07.003	Public Dance Permit Program	Deferred	DR-030	Future Chapter 14 modernization review
4.07.003	Public Dance Permit Fee	Deferred	DR-027	Future Fee Schedule review
4.07.004	Transfer of License or Permit	Deferred	DR-028	Future Chapter 14 modernization review
4.07.005	Operational Standards and Conduct Provisions	Deferred	DR-029	Future Chapter 14 modernization review
4.07.006	Enforcement Provisions	Deferred	DR-028	Future Chapter 14 modernization review
4.07.007	Applicability	Relocated	14.03.003(b)	No substantive

Summary of Changes

Relocated to Chapter 14:

- Garage sale regulations.
- Garage sale permit requirement.
- Garage sale signage regulations.
- Public dance definitions.
- Public dance applicability provisions.
- Temporary use regulations placed into new Article 14.03.

Deferred for Future Review:

- Garage sale permit fees.
- Public dance license fees.
- Public dance permit fees.
- Public dance licensing procedures.
- Public dance permit procedures.
- Public dance operational standards.
- Public dance enforcement provisions.
- Administrative permitting procedures.

Not Relocated:

- Existing penalty provisions, which remain governed by the City's general enforcement and penalty provisions.