

ORDINANCE: 194

CITY OF RICHLAND

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY
OF RICHLAND, TEXAS ESTABLISHING GUIDELINES,
CRITERIA AND POLICY FOR SEX OFFENDER
RESIDENCY AND CHILD SAFETY ZONE RESTRICTIONS**

WHEREAS, the City and its elected and appointed officials are committed to protecting the health, safety and well-being of its children by reducing opportunities for sexual predators to come in contact with the children of our city; and

WHEREAS, it is known that victims of childhood sexual abuse are known to suffer long-lasting emotional, behavioral, psychological, and other physical and mental health-related trauma; and

WHEREAS, the City Council seeks to make it unlawful for certain sex offenders to reside within and/or go within one thousand (1000) feet of a Child Safety Zone (hereinafter defined); and

WHEREAS, the City Council seeks to make it unlawful for certain sex offenders to loiter within three hundred (300) feet of the public way around a Child Safety Zone; and

WHEREAS, the Texas Legislature has deemed it appropriate in Article 42.12 (13B) of the Texas Code of Criminal Procedure to establish one thousand (1000) foot safety zone for children as a condition of community supervision for those convicted of certain sexual offenses; and

WHEREAS, the City Council also seeks to specify penalties for violations of this ordinance, including but not limited to a fine as allowed by law, per day of continuing violation; and

WHEREAS, the laws of the State of Texas, including those found in Chapter 51 of the Texas Local Government Code, authorize the City to adopt ordinances for the good government, peace, order, and welfare of the City; and

WHEREAS, the City Council hereby finds and determines that sexual offenders who prey on children are a threat to the public health, welfare, and safety of the citizens of the City; and

WHEREAS, the City Council hereby finds and determines that prohibiting individuals required to register on the Texas Department of Public Safety's Sex Offender Database from residing near or going in, on, or within a Child Safety Zone will reduce the opportunities for sexual offenders to come into contact with the children of our City; and

WHEREAS, the City Council hereby finds and determines that the City's residency restriction and prohibition on going in, on, or within a Child Safety Zone on sex offenders is consistent with the current child safety zone statutes established by Article 42. 12 (13B) of the Texas Code of Criminal Procedure; and

WHEREAS, the City Council finds and determines that rules and regulations adopted herein promote the public health, welfare, and safety of the citizens of the City.

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

SECTION 1: DEFINITIONS

For the purpose of this Section, the following terms, words and the derivations thereof shall have the meaning given herein.

Sex Offender - means an individual who has been convicted of or placed on deferred adjudication for a sexual offense involving a person under seventeen (17) years of age for which the individual is required to register as a sex offender under Chapter 62 of the Texas Code of Criminal Procedure.

Child – means any person under the age of seventeen (17) years of age.

Child Safety Zone – means any public parks, private and public schools, public library, amusement arcades, video arcades, indoor and outdoor amusement centers, amusement parks, public or commercial and semi-private swimming pools, child care facility, child care institution, public or private youth sports field, crisis center or shelters, skate park or rink, public or private youth center, movie theater, bowling alley, scouting facilities and Offices for Child Protective Services within City limits.

Database – means the Texas Department of Public Safety's Sex Offender Database.

Day-Care Facility – means a facility or home licensed by the State of Texas, which provides care, training, education, custody, treatment, or supervision of children for less than twenty-four (24) hours a day.

Child Care Institution – means a commercial day care center, provides regular care to any number of adults or children for less than twenty-four (24) hours a day.

Public or Private Park – means (i) any land designated for public recreation or any athletic field that is owned, leased, or maintained by the City, including, but not limited to, conservation areas, recreational centers, skate parks, water parks, or public swimming pools or (ii) any public land that is used by the general public as a recreational or park area, including, but not limited to, a park or playground maintained by a community home owners' association.

Residence, Permanent – means the place within the City that a person registers or verifies under Article 62.152, Texas Code of Criminal Procedure, as the person’s residence.

Residence, Temporary – means a place where a person abides, lodges, or resides for a period of fourteen (14) or more days in the aggregate during any calendar year and which is not the person’s permanent address, or a place where a person routinely abides, resides, or lodges for a period of four (4) or more consecutive or nonconsecutive days in any month and which is not the person’s permanent residence.

Loiter – means standing, sitting idly, whether or not the person is in a vehicle or remaining in or around an area.

Places Where Children Regularly Congregate – Same as Child Safety Zone.

SECTION 2: SEXUAL OFFENDERS RESIDENCE PROHIBITION

- a) It is unlawful for a Sex Offender to establish a Permanent Residence or Temporary Residence within one thousand (1000) feet of any Child Safety Zone and loitering on a public way within three hundred (300) feet of a Child Safety Zone.
- b) It is an offense for a Sex Offender to knowingly enter a Child Safety Zone.
- c) A Sex Offender, shall not, on each October 30th and 31st (or any other date set by the City for trick-or-treaters) between the hours of 4:00 pm and 11:00 pm, leave an exterior porch light on or otherwise invite trick-or-treaters to solicit the premises.
- d) It is a defense to prosecution under this section that a person who has a Permanent Residence or Temporary Residence within one thousand (1000) feet of a Child Safety Zone:

SECTION 3: PROPERTY OWNERS PROHIBITED FROM RENTING REAL PROPERTY TO REGISTERED SEX OFFENDERS

It is unlawful to let or rent any place, structure or part thereof, manufactured home, trailer, or any other conveyance, with the knowledge that it will be used as a Permanent Residence or Temporary Residence by any person prohibited from establishing such Permanent Residence or Temporary Residence pursuant to the terms of this chapter, if such place, structure, or part thereof, manufactured home, trailer, or other conveyance is located within one thousand (1000) feet, as defined in section 130.85 from a Child Safety Zone, as defined above under Definitions.

SECTION 4: EVIDENTIARY MATTERS

- a) If A Sex Offender that is prohibited from being in a Child Safety Zone is found in a Child Safety Zone by a Police Officer, the Sex Offender is subject to punishment in accordance with this Ordinance.
- b) It shall be prima facie evidence that this section applies to such a person if that person's record appears in/on the Database and the Database indicates that the victim was less than seventeen (17) years of age.
- c) The distance of one thousand (1000) feet from a Child Safety Zone or a place where children congregate shall be measured on a straight line from the closest boundary line of the Sex Offender's residence to the closest boundary line of the Child Safety Zone or any other places where children regularly congregate.
- d) The distance of three hundred (300) feet from a Child Safety Zone shall be measured on a straight line from the closet boundary of the Child Safety Zone.
- e) In the case of multiple residences on one property, measuring from the nearest property line of the residences to the nearest property line of the Child Safety Zone or any other places where children regularly congregate.
- f) In cases of a dispute over measured distances, it shall be incumbent upon the person(s) challenging the measurement to prove otherwise.
- g) A map depicting the prohibited areas shall be created by The City of Richland and maintained by The Richland Police Department. The City of Richland shall review this map annually for changes, The said map will be made available to the public at the Richland Police Department or available on The City of Richland website or The City of Richland Police Department website.

SECTION 5: EXCEPTIONS

- a) The Person required to register in/on the Database, established the Permanent Residence or Temporary Residence and residency prior to the adoption of this Ordinance, has been consistency maintained and the person has complied with all of the Sex Offender Registration laws of the State of Texas, prior to the date of the adoption of this Ordinance.
- b) The place where children regularly congregate, as specified herein, within one thousand (1000) feet of a Permanent Residence or Temporary Residence of the person required to register on/in the Database was opened after the person established the Permanent Residence or Temporary Residence and complied with all Sex Offender Registration laws of the State of Texas.
- c) The information on/in the Database is incorrect, and, if corrected, this Section would not apply to the person who was erroneously listed on/in the Database.

- d) The person required to register on/in the Database was a minor when he or she committed the offense requiring such registration and was not convicted as an adult.
- e) The person required to register to serve a sentence at a jail, prison, juvenile facility or other correctional institution located within one thousand (1000) feet of the real property comprising of a school, child care facility, park or play ground or other places where children regularly congregate.
- f) The person required to register is under eighteen (18) years of age or a ward under a guardianship, who resides with a parent or guardian.
- g) The person required to register has been exempted by a court order from registration as a Sex Offender under Chapter 62, Texas Code of Criminal Procedure; or
- h) The person required to register has had the offense for which the Sex Offender registration was required, reversed on appeal or pardoned.
- i) The person's duty to register on/in the Database has expired.
- j) Nothing in this provision shall require any person to sell or otherwise dispose of any real estate or home acquired or owned prior to the conviction of the person as a Sex Offender.

SECTION 6: PENALTIES

Any person found guilty of violating this Ordinance shall be guilty of a Misdemeanor and upon conviction thereof shall be fined an amount not to exceed the maximum allowed by Texas Law. Each day that a violation exists shall constitute a separate offense.

SECTION 7: CUMULATIVE CLAUSE

This Ordinance shall be cumulative of all provisions of the City, 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.

SECTION 8: SERVICEABILITY

It is hereby declared to be the intention of the City Council of the City of Richland that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are servable, and if any phrase, clause, sentence, paragraphs, and sections of this Ordinance be declared unconstitutional by valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, 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.

SECTION 9: PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public 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, as amended.

NOW THEREFORE,

**THE CITY AND PEOPLE OF THE CITY OF RICHLAND
HEREBY DO ORDAIN AS FOLLOWS:**

PUBLICATION OF NOTICE

The City of Richland shall cause a notice of the passage of this Ordinance to be published no less than within thirty (30) days of the passage of the Ordinance in a newspaper of general circulation within the City of Richland. The notice shall announce the passage of the Ordinance and the availability of additional information for the City of Richland.

EFFECTIVE DATE

This ordinance shall take effect and be in force five (5) days after publication.

**DULY PASSED AND APPROVED BY THE CITY OF RICHLAND, TEXAS ON THIS,
14 DAY OF AUGUST, 2025.**

ATTEST:



Jerry Morris – Mayor (City of Richland)

Ronda Franks

Ronda Franks – City Secretary (City of Richland)



PUBLISHED the 03 day of September, 2025

EFFECTIVE the 04 day of September, 2025

ORDINANCE No. 194

ORDINANCE NO. 2025-193

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHLAND, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2025 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHMENT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

WHEREAS, the City of Richland, Texas ("City") is a gas utility customer of Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company"), and a regulatory authority with an interest in the rates, charges, and services of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee ("ACSC"), a coalition of similarly-situated cities served by Atmos Mid-Tex ("ACSC Cities") that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a Rate Review Mechanism ("RRM") tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program ("GRIP") process instituted by the

Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the current RRM tariff was adopted by the City in a rate ordinance in 2018; and

WHEREAS, on about April 1, 2025 Atmos Mid-Tex filed its 2025 RRM rate request with ACSC Cities based on a test year ending December 31, 2024; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2025 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$205.6 million on a system-wide basis with an Effective Date of October 1, 2025; and

WHEREAS, ACSC agrees that Atmos plant-in-service is reasonable; and

WHEREAS, with the exception of approved plant-in-service, ACSC is not foreclosed from future reasonableness evaluation of costs associated with incidents related to gas leaks; and

WHEREAS, the attached tariffs (Attachment 1) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Attachment 2); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications.

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

Section 1. That the findings set forth in this Ordinance are hereby in all things approved.

Section 2. That, without prejudice to future litigation of any issue identified by ACSC, the City Council finds that the settled amount of an increase in revenues of \$205.6 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2025 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

Section 3. That despite finding Atmos Mid-Tex's plant-in-service to be reasonable, ACSC is not foreclosed in future cases from evaluating the reasonableness of costs associated with incidents involving leaks of natural gas.

Section 4. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Attachment 1, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$205.6 million on a system-wide basis, over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

Section 5. That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Attachment 2, attached hereto and incorporated herein.

Section 6. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of ACSC in processing the Company's 2025 RRM filing.

Section 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Ordinance, it is hereby repealed.

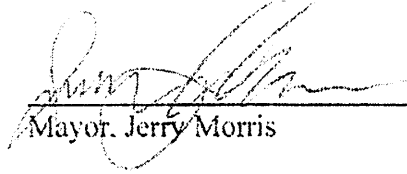
Section 8. That the meeting at which this Ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 9. That if any one or more sections or clauses of this Ordinance is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, and the remaining provisions of the Ordinance shall be interpreted as if the offending section or clause never existed.

Section 10. That consistent with the City Ordinance that established the RRM process, this Ordinance shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2025.

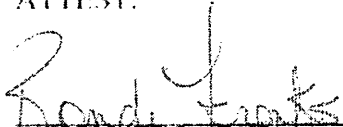
Section 11. That a copy of this Ordinance shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Thomas Brocato, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF RICHLAND, TEXAS, BY A VOTE OF 4 TO 0, ON THIS THE 14 DAY OF AUGUST, 2025.



Mayor, Jerry Morris

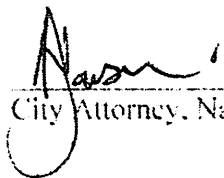
ATTEST:



City Secretary, Ronda Franks



APPROVED AS TO FORM:



City Attorney, Natalie Dawson