



# MIDWAY MESSENGER

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VOL: 1 ISSUE 15

Latest News and Updates

December 1, 2025

### \*\*From the Mayor's Desk: \*\*

With Thanksgiving behind us and Christmas ahead, everyone, please be careful. My son and his family are driving home to Cedar Rapids, IA, this Saturday evening in 9" of snow. We may not have snow, but we do have rain and wind that pose dangers here locally. Be safe out there.

I'm looking through the last 15 issues, and we covered quite a bit of material. Starting with how a city works, revenue, expenses, and grants. So, what's the plan for the town? City Hall's focus is on what we can do to prepare for the Comprehensive Plan—this process outlines our vision for our community. Hopefully, we can get our city residents to participate in committees for ordinances, Zoning Plans, and many other policies. We will be reaching out to everyone with town hall meetings to get you signed up and ready to start the process. So, come out and be a part of the plan for our community.

With limited funds, we will need to plan wisely so we can meet the costs to implement and maintain our plan. One of the concerns since I have been here is the city's eyesores, such as yard maintenance, dilapidated structures, and the lack of an ordinance to over see this. The second concern is roaming dogs. What will help prevent these, is ordinances that address these out-of-control problem.

The City has a dog ordinance, the planning committee will address this issue during our workshop. I will include a copy in the newsletter we mail to you this month. If you have any recommendations, please send them to City Hall. We will make sure we add them to the new updated ordinances. Just remember, we must follow state laws.

We all know that any City Ordinance must be enforced to be effective. So, in the Texas Town & City November Magazine (2025), there is an article on **Code Enforcement**.

**CODE ENFORCEMENT Q&A Cont...Pg 2**



**For great is your steadfast  
love toward me...**

**—Psalm 86:13 (ESV)**

### From the City Secretary/City Administrator

I hope that everyone had a wonderful Thanksgiving! Can you believe Christmas is right around the corner, like 3 weeks away?! My hope is that everyone is getting ready to have a very memorable and merry Christmas season and there is so much going on!

Here in Midway, the 4-H Club is holding another food drive! Please drop off non-perishable food items at City Hall Monday through Thursday between 9 a.m. and 5 p.m. or Friday between 8 a.m. and 12 noon. We will be collecting until 5 p.m. on Thursday, December 18<sup>th</sup>.

The Angel Tree is up at City Hall and there are still a few names on the tree. If the shopping is too much, please consider donating. Donations for the Angel Tree will be taken until December 12<sup>th</sup>.

The City will host a Christmas Open House on Monday, December 8<sup>th</sup> from 5:30 to 8:30 at City Hall. There will be snacks, punch, and an opportunity for you to meet with your mayor and Council members and find out what's going on in Midway.

Keep Madison County Beautiful is holding its annual decorating contest. Judging will be the week of December 15<sup>th</sup> through the 19<sup>th</sup> with the winners being notified as soon as judging is over.

The Reading Program will host a Christmas Edition on Tuesday, December 23<sup>rd</sup> from 5:30 to 7:30. There will be hot chocolate, Christmas cookies, each child will get to make an ornament and take home a new book!! We do ask that you register your child or children by either calling City Hall at 936-348-6800 or by going to the City's website at [midway.municipalimpact.com](http://midway.municipalimpact.com) and using the Contact Us page. In the subject line put Reading Program Christmas Edition and then put your child's name and age. Please include a good contact phone number.

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### From the City Secretary/City Administrator

Now, here's something to think about! Every December, a notice must be posted about the filing period for those wanting to run for City Council. There are 2 City Council seats, as well as the Mayor's seat that will be up for election. If you think you might be interested in running for City Council, I invite you to come by City Hall and ask questions.

### Here's the Q&A

#### Q What authority do cities have to adopt ordinances and regulations?

**A** In Texas, cities have legislative authority to pass ordinances that function as local statutes. And police power allows cities to create laws aimed at protecting the health, safety, and welfare of their residents. Various state statutes also grant cities regulatory authority to adopt and enforce regulatory and enforce regulations such as:

- Building standards for construction and design and substandard buildings under Chapter 214 of the Local Gov't Code.
- Public health issues such as weeds, rubbish, and stagnant water under Chapter 342 of the Health and Safety Code:
- Zoning under Chapter 211 of the Local Gov't Code:
- Junked motor vehicles under Chapter 683 of the Transportation Code: and
- Nuisances under Chapter 217 of the Local Gov't Code.

Both **general law** and home rule cities are granted implied powers under the Texas Local Government Code. Specifically, Section 51.001 states that a city's governing body can "adopt, publish, amend, or repeal an ordinance, rule, or police regulation that is for the good government, peace, or order of the municipality..."

**Here's how to get involved. Fill out the form on the city's website at**

**[midway.municipalimpact.com](http://midway.municipalimpact.com)**.

Go to **Contact Us**.

#### Q What options are available to cities to enforce their ordinances?

**A** Depending on the specific regulation, cities may enforce their ordinances to ensure compliance through various mechanisms. Chapter 54 of the Local Government Code allows for enforcement of certain types of ordinances through:

- Criminal citations/fines or penalties (§ 54.001)
- Quasi-judicial enforcement/Building and Standards Commission (§§ 54.031-54.041)
- A civil action in district court or county court (§ 54.012)
- Civil adjudication (§ 54.043)
- Administrative adjudication (§ 54.044)

Cities also have broad authority to identify, prohibit, and summarily abate and remove public nuisances and charge expenses of removal to the property owner or person in control of the property. Tex. Loc.

Gov't Code §§ 217.002, 217.022, 217.042. Cities may file liens against the property owner for non-compliance in certain instances. See Tex. Health & Safety Code § 342.007; Tex. Loc. Gov't Code §214.001(n). Common nuisance include dilapidated buildings, the accumulation of garbage or debris, improper discharge of waste, emission of foul or noxious odors, stagnant water or unsanitary swimming pools, inoperable vehicles, high grass and weeds, and illegal dumping.

#### Q What is code enforcement?

**A** Code enforcement is the inspection of public or private premises for purpose of identifying environmental hazards, including fire or health hazards, nuisance violations. Unsafe building conditions, and violations of any fire, health, or building regulation, statute, or ordinance. Tex. Occ. Code § 1952.001(1). And it includes improving and rehabilitating those premises with regard to those hazards. *Id.*

There are a few more Q&A statements in the article, but due to space, the three listed here will give you a general idea of the process for enforcing ordinances.

We have partnered with a company that will assist the city in defining our building plans and inspections. They will be attending our open house next week on December 8th. Please stop by for refreshments and the chance to meet Rocky Rodriguez and Elias Fernandez from AOKA. They also offer a variety of other services that the city could benefit from.