

ORDINANCE NO. 821

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMEND-  
CHAPTER 10, OFFENSES-MISCELLANEOUS, ARTICLE II,  
MAINTAINING NUISANCE, OF THE ADDISON CODE TO  
CLARIFY THE RESPONSIBILITY OF THE PROPERTY OWNER;  
PROVIDING FOR PROVISIONS FOR ABANDONED OR WRECKED  
AUTOMOBILES, TRUCKS, ETC.; PROVIDING FOR A PERMIT  
TO REMOVE OR DEPOSIT DIRT, GRAVEL, ETC., AND TO  
REQUIRE THAT PROPERTY BE LEVELED WITHIN 30 DAYS;  
PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR  
A SEVERABILITY CLAUSE; AND DECLARING AN  
EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,  
TEXAS:

SECTION 1. That the Addison Code, Chapter 10,  
Article II, is hereby amended by Amending Sec. 10-19. to  
add the following:

Sec. 10-19. SAME - PRESUMPTION.

It shall be the duty of any person, owner, agent,  
occupant or anyone having supervision or control of any  
lot, tract, parcel of land, or a portion thereof, occupied  
or unoccupied within the city to remove or cause to be cut  
and removed all such grass, weeds or plants as often as may  
be necessary to comply with this section.

SECTION 2. That the Addison Code, Chapter 10,

Article II is hereby amended by amending Sec. 10-21. to read as follows:

Sec. 10-21. REMOVAL OR DEPOSIT OF DIRT, GRAVEL, ETC.

It shall be unlawful for any person to remove or deposit dirt, gravel, earth or topsoil from any land situated within the city unless such person provides for proper drainage following the removal or deposit of such dirt, gravel, earth or topsoil. By the term "proper drainage", it is meant that the water drainage off such land shall not disturb the natural drainage so as to adversely affect city streets or adjoining property owners. It shall be unlawful for any person to remove or deposit any such material unless he first secures a permit for such from the city. The owners of any private property where fill material is placed shall cause the same to be graded and leveled within thirty (30) days from the placement thereof.

SECTION 3. That the Addison Code, Chapter 10, Article II is hereby amended by amending Sec. 10-23. to read as follows:

Sec. 10-23. ACCUMULATION OF LUMBER, BOXES, JUNK, WRECKED AUTOMOBILES, MACHINERY, ETC.

It is unlawful and declared a nuisance for any owner or occupant, tenant or lessee of any premises improved or unimproved on which evidence of rat infestation is found, or any lots or alleys adjacent to such property, to permit accumulation of any lumber, boxes, barrels, bricks, stones or any other character of

materials that may be used as a harborage for rats, rodents or other vermin, unless same shall be placed on open racks and elevated not less than eighteen (18) inches above the ground, with a clear intervening space underneath; or any and all waste matter, whether reusable or not, which is offensive to the public health, safety or to the esthetics of the neighborhood, and is specifically intended to include, but not be limited to, worn out, wrecked and/or abandoned automobiles, trucks, tractors, machinery or any parts thereof, brick, stones, old iceboxes, refrigerators and stoves, to accumulate or remain on such lot or premises.

SECTION 4. That the Addison Code, Chapter 10, Article II, is hereby amended by amending Section 10.24. to read as follows:

Sec. 10-24. EASEMENTS.

In the event of a nuisance as defined above is found to exist upon any easement within the city, or in the event that any person, firm or corporation owning, claiming, occupying or having supervision or control of any easement within the city limits, fails to comply with the foregoing provision of this ordinance, it shall be the duty of the City Manager or his duly appointed representative to give ten (10) days official notice to such person, firm or corporation which is creating such nuisance or is violating the terms of this article. If such person, firm or corporation fails or refuses to comply with the provision of section 10-17 through 10-20 within the ten (10) days following

notification, they shall be considered to be in violation and subject to a fine as provided in Chapter 1 of this Code.

SECTION 5. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to a penalty and upon conviction shall be punished by a fine not to exceed the sum of Two Hundred Dollars (\$200.00) for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

SECTION 6. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

SECTION 7. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 8. The importance of this ordinance creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON,  
TEXAS, this 10 day of August, 1982.

MAYOR



ATTEST:

  
CITY SECRETARY

EFFECTIVE DATE:

9-1-82