

ORDINANCE NO. 098-015

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 5, ARTICLE VI, OF THE CODE OF ORDINANCES OF THE TOWN OF ADDISON, TEXAS, TO PROVIDE MINIMUM STANDARDS TO SAFEGUARD LIFE OR LIMB, PROPERTY, AND PUBLIC WELFARE BY REGULATING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES. PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEAL CLAUSE.

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

SECTION 1. That the Code of Ordinances of the Town of Addison be amended by rewriting Chapter 5, Article VI, in its entirety to read as follows:

ARTICLE VI. DANGEROUS BUILDINGS CODE

Sec. 5-1-1. Adopted.

The rules and regulations of the Uniform Code for the Abatement of Dangerous Buildings, adopted by the International Conference of Building Officials, are hereby adopted as the rules and regulations to provide a just, equitable and practicable method to be cumulative with and in addition to, any other remedy provided by the Uniform Building Code, 1997 Edition, or otherwise available at law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants may be required to be repaired, vacated or demolished within the city. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, is hereby adopted, a copy of which is attached to the ordinance from which this section is derived and made a part hereof for all purposes.

Sec. 5-102. Deletions, amendments and additions.

The Uniform Code for the Abatement of Dangerous Buildings, as adopted in this article, is hereby modified by the deletions, amendments and additions provided herein.

Sec. 5-103. Violations.

Section 203 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read:

❖ No person, firm or corporation, whether as owner, lessee, sub-lessee or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy or maintain any building or premises, or cause or permit the same to be done, contrary to or in violation of any of the provisions of this code or any order issued by the building official hereunder.

Any person, firm or corporation violating the provisions of this section shall be subject to a fine, upon conviction in the municipal court, in a sum not to exceed five hundred dollars (\$500.00), and each and every day of continuance thereof shall constitute a distinct and separate offense.❖

Sec. 5-104. Board of Appeals.

The Uniform Code for the Abatement of Dangerous Buildings is amended by changing Section 205.1 to read as follows:

205.1. General. There is hereby created a board of appeals, consisting of three (3) members and two (2) alternates appointed by the city council. The building official shall be an ex officio member and shall act as secretary of the board.

The board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the building official with a duplicate copy to the appellant. The powers of the board shall be as follows:

- (1) To hear appeals from decisions of the building official.
- (2) To hear requests for the use of a material or method of construction not prescribed by the code and to authorize the use when, in the board's judgement, the material or method of construction is at least equivalent to that prescribed and
- (3) To hear complaints from the building official arising against any person, firm, or corporation licensed by the town to perform construction work and shall have the power after hearing, to revoke or suspend said license for the following reasons:
 - (a) Chronic violation of code
 - (b) Misrepresentation of material facts in obtaining said license or renewal thereof
 - (c) Chronic failure to secure permits, inspections, or approvals as required by the code
 - (d) Use of said license to obtain a permit for another person, firm or corporation.

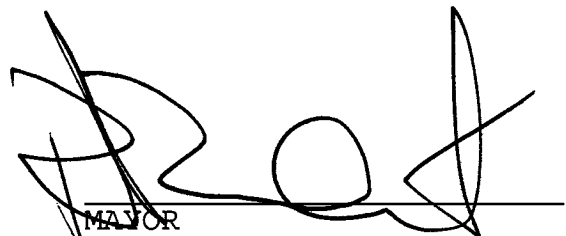
SECTION 2. All other ordinances and parts of ordinances in conflict with this ordinance shall be, and the same is hereby repealed, but the repeal of such ordinances or parts of ordinances shall not affect any right, property or claim which was or is vested in the Town of Addison, Texas, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this ordinance shall take effect. Nor shall said repeals, amendments or changes effect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this ordinance shall take effect under any of the ordinances or sections thereof so repealed.

SECTION 3. In the event that any section, paragraph, subdivision, clause, phrase, or provision of this ordinance or the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, or revisions thereof, adopted herein shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance or of the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, or revisions thereof as a whole or any part of provision other than the part so decided to be invalid or unconstitutional.


SECTION 4. Any person, firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined an amount not to exceed five hundred dollars (\$500.00), and each and every day that the prohibited condition remains shall constitute a separate offense.

SECTION 5. That this ordinance shall become effective from and after its adoption.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, this the 14th day of April, 1998.


MAYOR

ATTEST:


CITY SECRETARY

OFFICE OF THE CITY SECRETARY

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