

ORDINANCE NO. 006-007

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18, ARTICLE III, 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 18, Article III in its entirety to read as follows:

ARTICLE III PROPERTY MAINTENANCE CODE.

Sec. 18-101. Adopted.

The rules and regulations of the International Property Maintenance Code, 2003 Edition, a copy of which, authenticated by the signature of the mayor and the city secretary, and made a public record by ordinance, 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 International Building Code, 2003 Edition, or otherwise available at law, whereby buildings or health, morals, property, safety or welfare of the general public or their occupants may be required to be repaired. The International Property Maintenance Code, 2003 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. 18-102 - 18-120. Reserved.

Sec. 18-121. Generally.

The International Property Maintenance Code, as adopted in this article, is hereby modified by deletions, amendments and additions provided in this division.

Sec. 18-122. Application of other codes.

The International Property Maintenance Code is amended by changing the last sentence in subsection 102.3 to read as follows:

"Nothing in this code shall be construed to cancel, modify or set aside provisions of the Addison Zoning Ordinance."

Sec. 18-123. Violation penalties.

The International Property Maintenance Code is amended by changing subsection 106.4 to read as follows;

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 \$500.00, and each and every day of continuance thereof shall constitute a distinct and separate offense.

Sec. 18-124. Membership of board.

The International Property Maintenance Code is amended by changing subsection 111.2 to read as follows:

111.2. 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 judgment, 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.

Sec. 18-125. Weeds.

The International Property Maintenance Code is amended by changing the first sentence in subsection 302.4 to read as follows:

"All premises and exterior property shall be maintained free from weeds or plant growth in excess of 6 inches for residential property and 12 inches for non-residential property."

Sec. 18-126. Premises identification.

The International Property Maintenance Code is amended by changing the last sentence in subsection 304.3 to read as

follows:

"Numbers shall be a minimum 3 inches high."

Sec. 18-127. Insect screens.

The International Property Maintenance Code is amended by changing subsection 304.14 to read as follows;

304.14. Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

**Exception:** Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

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.

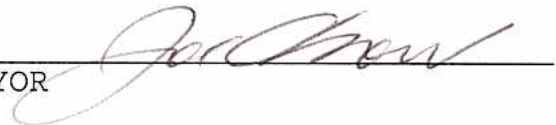
SECTION 3. In the event that any section, paragraph, subdivision, clause, phrase, or provision of this ordinance or the International Property Maintenance Code, 2003 Edition, or revisions thereof, adopted herein shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance or of the International Property Maintenance Code, 2000 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 28th day of February, 2006.

  
MAYOR

ATTEST:

  
CITY SECRETARY

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