

ORDINANCE NO. 2022-O-45

AN ORDINANCE OF THE CITY OF STEPHENVILLE CREATING CHAPTER 98 OF THE CITY OF STEPHENVILLE CODE OF ORDINANCES TO BE TITLED "MULTIFAMILY HOUSING STANDARDS" AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Development Services Department worked with the Development Services Committee to present for consideration rules and regulations to ensure safe multifamily housing; and

WHEREAS, the City Council of the City of Stephenville wishes to formally establish rules and regulations for the operation of multifamily housing properties ensuring the protection of the health, safety and welfare of the occupants.

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

SECTION 1.

The Code of Ordinances of the City of Stephenville is hereby amended by the addition of the following:

**TITLE 9 - GENERAL REGULATIONS
CHAPTER 98 – MULTIFAMILY HOUSING STANDARDS**

ARTICLE I – Definitions

Sec. 98.01 Definitions

For the purposes of this chapter, the following words, terms and phrases shall have the meaning ascribed to them except where the context clearly indicates a different meaning:

Department. The City of Stephenville Development Services Department.

Director. The Director of the Development Services Department or his/her designee.

Dwelling. Any building or portion thereof which is designed and used exclusively for residential purposes.

Dwelling, multifamily. A building having accommodations for five or more families living independently of each other. This excludes recreational vehicle camps, hotels, motels or resort facilities. Occupancy is restricted to one family per unit.

Minimum Standards. All multifamily dwellings must be maintained in a manner that meet or exceed the City's adopted International Codes.

Sections 98.02 - 98.09 Reserved for future use

ARTICLE II - Inspections

Sec. 98.02 Inspections

Service requests made to the Department for alleged violations shall result in the city making contact with property management to schedule an inspection.

Interior inspections of occupied units shall not be performed without consent of the resident, arranged by either property management, or, city staff.

If an alleged violation is confirmed to not meet the city's minimum standards, the city shall issue notice for the correction of the violation within a prescribed compliance period.

The city will thereafter conduct subsequent, follow-up inspections to determine compliance. If two or more re-inspections are required for a noted violation before the minimum standards violation is corrected, the property owner shall be charged a one-hundred-dollar (\$100.00) reinspection fee for the third and each subsequent reinspection until compliance.

It shall be an offense to fail to comply within the prescribed period for violations of the city's minimum standards.

Civil Complaints to the Municipal Court resulting in a minimum standards violation conviction shall also prompt interior inspections as referenced in this section.

ARTICLE III – Revocation of Certificate of Occupancy

Sec. 98.03 Revocation of Certificate of Occupancy

The Certificate of Occupancy for a multifamily property will be subject to revocation when:

There is repeated failure to comply with the requirements of this chapter;

One or more dwelling units have been substandard for more than sixty days following the delivery of notice of violation;

If the property has confirmed violations that present imminent threats to the life, health or safety of any person.

The Director of Development Services shall provide notice of revocation by certified mail, personal service, or courier-receipted commercial delivery sent to the address provided on the licensee's application. The revocation may be appealed to the City Manager by filing a written notice of appeal with the Director of Development Services within ten days of delivery of the notice of revocation. The City Manager, or a designated representative of the City Manager, shall provide an opportunity for a hearing on the appeal and shall render a decision on the appeal within ten days of the date of the hearing. The decision of the City Manager, or the designated representative, shall be final.

SECTION 3.

If any section or part of this ordinance is held by a court of competent jurisdiction to be unconstitutional or invalid, such judgement shall not affect, impair, or invalidate the remaining provisions of this Ordinance but shall be confined in its operation to the specific section or sections that are held unconstitutional or invalid.

SECTION 4.

This ordinance shall become effective immediately upon its passage.

PASSED AND APPROVED this _____ day of _____, 2022.

Doug Svien, Mayor

ATTEST:

Sarah Lockenour, City Secretary

Reviewed by Jason M. King,
City Manager

Randy Thomas, City Attorney
Approved as to form and legality