

(unapproved draft)

ORDINANCE NO. 2024-036

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS, AMENDING CHAPTER 3, ARTICLE XIV – PROPERTY MAINTENANCE CODE OF THE CODE OF ORDINANCES BY ADOPTING THE 2021 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOLFFORTH, TEXAS, THAT:

Part 1. Enacted

THAT, Chapter 3, Article XIV PROPERTY MAINTENANCE CODE of the Code of Ordinances is hereby amended by amending Sec. 3.14.001, which shall read as follows:

Sec. 3.14.001 Adopted

The International Property Maintenance Code, 2021 edition, as published by the International Code Council, is hereby adopted by reference as the city property maintenance code as if fully set out in this article with the additions, deletions, insertions and changes as follows.

1. **101.1 Title.** is hereby amended to read as follows:

101.1 Title. These regulations shall be known as Property Maintenance Code of the City of Wolfforth, hereinafter referred to as “this code”.

2. **102.3 Application of other codes.** is hereby amended to read as follows:

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *International Building Code, International Existing Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International Plumbing Code* and *NFPA 70*.

3. **103.1 Creation of agency.** is hereby amended to read as follows:

103.1 Creation of agency. The City of Wolfforth Code Enforcement Officers are hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.

4. **107.1 General.** is hereby amended to read as follows:

107.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code, the members of the board shall be comprised of the members of the City of Wolfforth Board of Adjustment.

5. **302.1 Sanitation.** is hereby removed in its entirety.

(unapproved draft)

6. **302.2 Grading and drainage.** is hereby removed in its entirety.

7. **302.4 Weeds.** is hereby removed in its entirety.

8. **308.1 Accumulation of rubbish or garbage.** is hereby removed in its entirety.

Part 2. Open Meetings Act

This meeting was open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as required.

Part 3. Severability Clause

If any section, sub-section, clause, phrase, or portion of this ordinance shall be held unconstitutional or invalid by a court of competent jurisdiction, such section, sub-section, sentence, clause, phrase, or portion shall be deemed to be a separate, distinct and independent provision and such invalidity shall not affect the validity of the remaining portions.

Part 4. Repeal

All ordinances or parts of ordinances and sections of any of the City Code of Ordinances in conflict with this Ordinance are hereby repealed.

Part 5. Effect on Pending Proceedings

That nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Part 4 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Part 6. Publication

The City Secretary is authorized and directed to publish the caption and penalty prescribed by this ordinance in accordance with State Law.

Part 7. Enforcement

Any person, firm or individual who shall violate any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one dollar (\$1.00) or more than two thousand dollars (\$2,000.00) in accordance with Code of Ordinance Sec. 1.01.009. Each day the violation continues shall constitute a separate and distinct offense.

Part 8. Effective Date

This Ordinance shall be in force and effect from and after November 1, 2024.

(unapproved draft)

CITY OF WOLFFORTH

CHARLES ADDINGTON II, MAYOR

ATTEST:

Terri Robinette, City Secretary

DRAFT