

ORDINANCE NO. 3196

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 7 OF THE CODE OF THE CITY OF MESQUITE BY ADOPTION OF THE UNIFORM HOUSING CODE, 1997 EDITION, WITH CERTAIN AMENDMENTS AND DELETIONS THERETO; PROVIDING FOR A PENALTY NOT TO EXCEED FIVE HUNDRED (\$500.00) DOLLARS FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Chapter 7, Article I of the Code of the City of Mesquite, Texas is hereby amended as follows, in all other respects said Code and Chapter to remain in full force and effect:

Sec. 7-1. Adoption of the Uniform Housing Code.

There is hereby adopted by the City of Mesquite, the Uniform Housing Code, 1997 Edition. A copy of the Uniform Housing Code is now filed in the office of the City Secretary and the same is hereby adopted and incorporated as fully as if set out at length herein, and from the effective date of the ordinance from which this section derives, the provision thereof shall be controlling within the limits of the city. All ordinances and code provisions in conflict with the provisions herein are hereby repealed.

Sec. 7-3. Amendments made in the Uniform Housing Code.

The Uniform Housing Code, 1997 Edition, is amended and changed in the following respects:

- (1) Sec. 1305. Amend by **inserting** an additional paragraph after Sec. 1305.8 to read as follows:

Sec. 1305.9. Once the decision of the board becomes final under this section, the person effected by an order may appeal the decision to the state district court. Appeal to the district court must be filed within 20 days from the date of receipt of notice of a final board order. Appeal in the district court shall be limited to a hearing under the substantial evidence.

- (2) Chapter 16. Amend by **deleting** in its entirety and **adopt** a new Chapter 16 to read as follows:

Chapter 16

RECOVERY OF COSTS INCURRED BY THE CITY

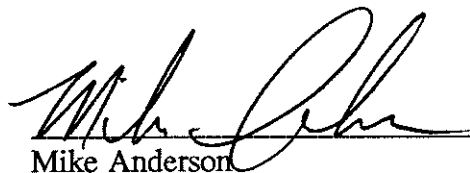
Recovery of costs incurred by the City in vacating, securing, removing or demolishing a building pursuant to this code shall be in accordance with the provision of Chapter 214, Subchapter A of the Texas Local Government Code.

SECTION 2. That should any word, sentence, clause, paragraph, or provision of this ordinance be held to be invalid or unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part or provision so decided to be unconstitutional, illegal, or invalid and shall not affect the validity of the remainder of Chapter 7 or any other provision of the Code of the City of Mesquite.

SECTION 3. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense.

SECTION 4. The fact that the present ordinances of the City of Mesquite are inadequate to protect the health, safety and welfare of the inhabitants of the City of Mesquite creates an urgency and emergency for the preservation of the public health, safety, and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

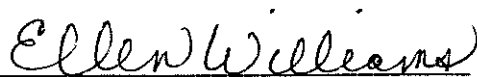
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 15th day of December, 1997.




Mike Anderson
Mayor

ATTEST:

APPROVED:



Ellen Williams
City Secretary



B.J. Smith
City Attorney