

ORDINANCE NO. 4011

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 5 OF THE CODE OF THE CITY OF MESQUITE BY DELETING SECTION 5-468(I) IN ITS ENTIRETY AND ADDING A NEW SECTION 5-468(I) THEREBY REQUIRING THE PAYMENT OF CITY LIENS PRIOR TO ISSUANCE OF A RENTAL CERTIFICATE-OF-OCCUPANCY; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS FOR EACH OFFENSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

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

SECTION 1: That Chapter 5 of the Code of the City of Mesquite, Texas, is hereby amended by deleting Section 5-468(i) in its entirety and adding a new Section 5-468(i) to read as follows, in all other respects said Code and Chapter to remain in full force and effect:

- (i) *Section R110.3.* Amend by deleting the section in its entirety and adding a new Section R110.3 to read as follows:

Certificate issued. When the Building Official determines that a rental dwelling unit and premises are in compliance with the provisions of this and other applicable codes, the Building Official shall issue a Certificate of Occupancy containing the following:

1. The address of the structure;
2. The name and address of the property owner;
3. A statement that the described portions of the structure have been inspected for compliance with the requirements of this code;
4. The name of the Building Official;
5. The edition of the code on which the certificate was issued; and
6. The date the Certificate of Occupancy was issued.

R110.3.1. No certificate-of-occupancy shall be issued for a rental dwelling unit until the owner has paid all perfected liens of whatsoever nature attached to the property in favor of the City of Mesquite, together with interest as allowed by law.

SECTION 2. That all ordinances or portions thereof in conflict with the provisions of this ordinance, to the extent of such conflict, are hereby repealed. To the extent


that such ordinances or portions thereof are not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the validity of the remaining provisions of this ordinance shall not be affected and shall remain in full force and effect.

SECTION 4. 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 5. That this ordinance shall take effect on June 1, 2009.

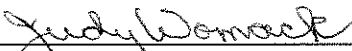
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 15th day of December, 2008.




John Monaco
Mayor

ATTEST:

APPROVED:



Judy Womack
City Secretary



B. J. Smith
City Attorney