

ORDINANCE NO. 4120

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTERS 5 AND 7 OF THE CODE OF THE CITY OF MESQUITE, TEXAS, BY DELETING SECTION 5-27(1)(G), SECTION 5-187(2)(C), SECTION 5-468(1)(M), SECTION 7-2 AND SECTION 7-3(1)(C) IN THEIR ENTIRETY AND ADDING A NEW SECTION 5-27(1)(G), SECTION 5-187(2)(C), SECTION 5-317(1)(B), SECTION 5-466(1)(C), SECTION 5-468(1)(M), SECTION 7-2 AND SECTION 7-3(1)(C) ALL PERTAINING TO APPEALS FROM THE CODE OFFICIAL IN THE APPLICATION AND INTERPRETATION OF THE 2006 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL RESIDENTIAL CODE AND INTERNATIONAL PROPERTY MAINTENANCE CODE; 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.

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

SECTION 1: That Chapters 5 and 7 of the Code of the City of Mesquite, Texas, are hereby amended by deleting Section 5-27(1)(g), Section 5-187(2)(c), Section 5-468(1)(m), Section 7-2 and Section 7-3(1)(c) in their entirety and adding a new Section 5-27(1)(g), Section 5-187(2)(c), Section 5-317(1)(b), Section 5-466(1)(c), Section 5-468(1)(m), Section 7-2 and Section 7-3(1)(c) to read as follows, in all other respects said Code and Chapters to remain in full force and effect:

A. Sec. 5-27. Amendments to the International Building Code, 2006 Edition.

(1) *Chapter 1, Administration.*

(g) *Section 112.* Amend by deleting the section in its entirety and adding a new Section 112 to read as follows:

Appeals. Any person shall have the right to appeal a decision of the Code Official to the Building Standards Board established in Section 5-25 according to the procedures and time for appeal set forth therein.

B. Sec. 5-187. Amendments to the International Plumbing Code, 2006 Edition.

(2) *Chapter 1, Administration.*

- (c) *Section 109.* Amend by deleting the section in its entirety and adding a new Section 109 to read as follows:

Appeals. Any person shall have the right to appeal a decision of the Code Official to the Building Standards Board established in Section 5-25 according to the procedures and time for appeal set forth therein.

C. Sec. 5-317. Amendments to the International Mechanical Code, 2006 Edition.

- (1) *Chapter 1, Administration.*

- (b) *Section 109.* Amend by deleting the section in its entirety and adding a new Section 109 to read as follows:

Appeals. Any person shall have the right to appeal a decision of the Code Official to the Building Standards Board established in Section 5-25 according to the procedures and time for appeal set forth therein.

D. Sec. 5-466. Amendments to the International Fuel Gas Code, 2006 Edition.

- (1) *Chapter 1, Administration.*

- (c) *Section 109.* Amend by deleting the section in its entirety and adding a new Section 109 to read as follows:

Appeals. Any person shall have the right to appeal a decision of the Code Official to the Building Standards Board established in Section 5-25 according to the procedures and time for appeal set forth therein.

E. Sec. 5-468. Amendments to the International Residential Code, 2006 Edition.

- (1) *Chapter 1, Administration.*

- (m) *Section R-112.1.* Amend by deleting the section in its entirety and adding a new Section R-112.1 to read as follows:

Appeals. Any person shall have the right to appeal a decision of the Code Official to the Building Standards Board established in Section 5-25 according to the procedures and time for appeal set forth therein.

F. Sec. 7-2. General terms.

The following terms shall be applicable in the Property Maintenance Code adopted in Section 7-1:

Housing advisory and board of appeal. All references to the housing advisory and board of appeal used in the *International Property Maintenance Code* shall mean the Building Standards Board established in Section 5-25.

G. Sec. 7-3. Amendments to the International Property Maintenance Code, 2006 Edition.

(1) *Chapter 1, Administration.*

- (c) *Section 111.1.* Amend by deleting the first sentence in the section and adding a new first sentence to Section 111.1 to read as follows:

Appeals. Any person directly affected by a decision of the Code Official or a notice or order issued under this code shall have the right to appeal to the Building Standards Board established in Section 5-25, provided that a written appeal shall be filed within 30 calendar days after the decision, notice or order of the Code Official is mailed or delivered to the appellant.

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.

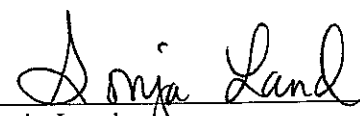
SECTION 5. That this ordinance shall take effect immediately on and after its passage.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 6th day of December, 2010.




John Monaco
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney