

ORDINANCE NO. 5248

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING CHAPTER 7 OF THE MESQUITE CITY CODE, BY REPEALING AND REPLACING CHAPTER 7, ARTICLE III (PROPERTY MAINTENANCE CODE), DIVISIONS 1 AND 2, IN THEIR ENTIRETY THEREBY ADOPTING THE 2024 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE (I.P.M.C.) AND PROVIDING CERTAIN LOCAL AMENDMENTS THERETO; PROVIDING CONFLICTS RESOLUTION, SEVERABILITY, AND SAVINGS CLAUSES; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000); PROVIDING FOR PUBLICATION OF THE CAPTION HEREOF; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, it is the intent of the City Council of the City of Mesquite, Texas (“**City Council**”), to protect the public health, safety, and welfare; and

WHEREAS, the City of Mesquite, Texas, (“**City**”) is a home-rule municipality acting under its Charter adopted, and amended, by the electorate pursuant to Article 11, [Section 5](#) of the Texas Constitution and [Chapter 9](#) of the Texas Local Government Code; and

WHEREAS, a home-rule municipality has full power of local self-government, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 51, [Section 51.072\(a\)](#); and

WHEREAS, the City shall have the power to enact and enforce ordinances necessary to protect health, life and property and to prevent and summarily abate and remove all nuisances, and to preserve and enforce good government and order and security of the City and its inhabitants, pursuant to Article III, [Section 2](#) of the Mesquite City Charter; and

WHEREAS, a home-rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants, pursuant to Texas Local Government Code, Title 2, Subtitle D, Chapter 54, [Section 54.004](#), as amended; and

WHEREAS, the City shall have the power to provide for the issuance of permits for erecting all buildings, for the inspection of the construction of buildings in respect to proper wiring for electric lights and other electrical appliances, piping for gas, flues, chimneys, plumbing, and sewer connections; and to enforce proper regulations in regard thereto; and the City shall also have the power to provide for license, permit and inspection fees, pursuant to Article III, [Section 28](#) of the Mesquite City Charter; and

WHEREAS, on March 17, 2026, the Building Standards Board held public hearings to discuss the adoption of the 2024 Edition of the International Property Maintenance Code (“**I.P.M.C.**”) and to receive input from the general public and all persons who may be affected by the proposed adoption; and

WHEREAS, the Building Standards Board, by majority vote, has recommended the City Council adopt the 2024 Edition of the **I.P.M.C.** and the additions, deletions, and amendments (“**the local amendments**”) thereto, attached hereto as **EXHIBIT A**; and

WHEREAS, upon the favorable recommendation of the Building Standards Board, and upon full review and consideration of all matters attendant and related thereto, and after receiving input from the general public and all persons who may be affected by the proposed adoption, the City Council is of the opinion that the 2024 Edition of the **I.P.M.C.** and the local amendments thereto, should be approved and adopted as the Property Maintenance Code of the City of Mesquite, Texas.

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

SECTION 1. Recitals Incorporated.

The City Council hereby finds and determines the recitals made in the preamble of this Ordinance are true and correct, and hereby incorporates such recitals here in the body of this Ordinance as if copied in their entirety.

SECTION 2. MESQUITE CITY CODE TEXT AMENDMENT:

Amending Chapter 7, Article III – Property Maintenance Code.

The Mesquite City Code is hereby amended as identified in **EXHIBIT A** and said exhibit is attached hereto and made a part hereof, and in all other respects, said Code, Chapters, and Articles shall remain in full force and effect.

SECTION 3. Conflicts Resolution Clause.

In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Mesquite and the provisions of this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 4. Severability Clause.

Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance and the Mesquite City Code, as hereby or previously amended, which shall remain in full force and effect.

SECTION 5. Savings Clause.

An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Mesquite City Code, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 6. Penalty Clause.

Any violation of the provisions or terms of this Ordinance by any “person,” as defined in Mesquite City Code, Chapter 1, [Section 1-2](#), shall be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, shall be subject to a penalty of fine, or any other general penalties, as provided in Mesquite City Code, Chapter 1, [Section 1-6](#), as amended.

SECTION 7. Publication.

This Ordinance shall be published in the City’s official newspaper in accordance with Mesquite City Charter, Article IV, [Section 24](#).

SECTION 8. Effective Date.

8.01. In accordance with Texas Local Government Code, Title 7, Subtitle A, Chapter 214, Subchapter G, § 214.218 (Immediate Effect of Certain Codes or Provisions Delayed), the City shall delay implementing and enforcing this ordinance for at least 30 days after final adoption.

8.02. This ordinance shall become effective and be in force from and after **July 1, 2026**.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ON THE 18TH DAY OF MAY 2026.

Signed by:
Daniel Alemán, Jr.
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Daniel Alemán, Jr.
Mayor

ATTEST:
DocuSigned by:
Sonja Land
C2518095973F46A...

Sonja Land
City Secretary

APPROVED AS TO LEGAL FORM:
Signed by:
David L. Paschall
666E18891208434...

David L. Paschall
City Attorney

MESQUITE CITY CODE

* * *

Chapter 7 – HOUSING AND MINIMUM PROPERTY STANDARDS

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ARTICLE III. – PROPERTY MAINTENANCE CODE

Editor's note:

[Existing Chapter 7, Article III (Property Maintenance Code), Divisions 1 and 2, shall be repealed in their entirety and replaced with the following text.]

DIVISION 1. – IN GENERAL.

Sec. 7-301. Short title.

This article shall be known and cited as the "Mesquite Property Maintenance Code" and may hereinafter be referred to in this article as "this code."

(Ord. No. 4954, § 2(Exh. A), 5-2-22)

Sec. 7-302. Adopted.

The International Property Maintenance Code (I.P.M.C.), 2024 Edition, a publication of the International Code Council (I.C.C.), is hereby adopted by reference and incorporated herein to the same extent as if such code were copied verbatim in this Section, subject to the deletions, additions, and amendments ("the local amendments") as may be prescribed in this article. A copy of the International Property Maintenance Code, 2024 Edition, and the local amendments thereto shall be maintained in the Office of the City Secretary.

(Ord. No. 4954, § 2(Exh. A), 5-2-22)

Sec. 7-303. Penalties.

- (a) *Criminal penalty.* Any violation of the provisions or terms of this article by any "PERSON," as defined in Mesquite City Code, Chapter 1, [Section 1-2](#), shall be deemed a Class C Misdemeanor criminal offense, and upon conviction thereof, shall be subject to a penalty of fine, or any other general penalties, as provided in Mesquite City Code, Chapter 1, [Section 1-6](#), as amended.
- (b) *Civil penalty.* The City may file any other civil actions for enforcement of this article as authorized by law.

(Ord. No. 4954, § 2(Exh. A), 5-2-22)

Charter reference— Enforcement of ordinances, Art. III, § 28.

Cross reference— General penalties, [§ 1-6](#).

State Law reference— General Enforcement Authority of Municipalities;

Penalty, V.T.C.A. Local Government Code, § 54.001;

Civil Action, V.T.C.A. Local Government Code, § 54.012;

Civil Penalty, V.T.C.A. Local Government Code, § 54.017.

Secs. 7-304 – 7-320. – Reserved.

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EXHIBIT A TO ORDINANCE NO. 5248.
Mesquite City Code, Chapter 7 – Housing and Minimum Property Standards,
Article III – Property Maintenance Code, Divisions 1 and 2
Building Standards Board Meeting Date: March 17, 2026 | City Council Meeting Date: May 18, 2026

DIVISION 2. – AMENDMENTS

Sec. 7-321. Local Amendments to the International Property Maintenance Code, 2024 Edition.

- (a) *Specific code provisions.* Amendments included in this Section are intended to be specific code provisions. If there is a conflict between a provision in the published International Property Maintenance Code (I.P.M.C.), 2024 Edition, and this Section, the specific provisions of this Section shall control.
- (b) *Table of the local amendments.* The following table contains the local amendments to the International Property Maintenance Code (I.P.M.C.), 2024 Edition.

(1) Table Legend.

- a. Column 1: Item Reference Number
- b. Column 2: Related I.P.M.C. Code Section Number and Title
- c. Column 3: Local Amendment to I.P.M.C.
- d. (...): Dots (...) (i.e., an ellipsis) indicate the omission of intact and unchanged text which has not been reproduced for efficiency purposes. It is intended that the text in the I.P.M.C., not set forth in this Section and instead denoted by dots (...), shall remain intact and unchanged from the language existing prior to adoption of this Section.
- e. (* * *): Asterisks (* * *) indicate the omission of intact and unchanged text which has not been reproduced for efficiency purposes. It is intended that the text in the I.P.M.C., not set forth in this Section and instead denoted by asterisks (* * *), shall remain intact and unchanged from the language existing prior to adoption of this Section.

(2) TABLE OF LOCAL AMENDMENTS TO THE 2024 INTERNATIONAL PROPERTY MAINTENANCE CODE

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Mesquite City Code, Chapter 7 – Housing and Minimum Property Standards,
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[Editor’s Note: Repeal the existing Table and replace with the following new text to now read as follows:]

No.	IPMC Code Section No. Title	Local Amendment to IPMC
01	IPMC 101.1 Title.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>R101.1: Title. These regulations shall be known as the International Property Maintenance Code of the City of Mesquite, Texas, hereinafter referred to as "this code."</p>
02	IPMC 102.3 Application of Other Codes.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>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. Nothing in this code shall be construed to cancel, modify or set aside any provision of the Mesquite Zoning Code.</p>
03	IPMC 103.1 General.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>103.1 General. The Building Official or other designee appointed by the City Manager of the City of Mesquite shall be known as the Code Official.</p> <p style="text-align: center;"><i>[The remainder of this page is intentionally left blank.]</i></p>

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04	IPMC Section 106: Appeals.	<p><i>Amend title and section in its entirety to read as follows:</i></p> <p>SECTION 106: APPEALS</p> <p>106.1: General. Except as otherwise provided, any person shall have the right to appeal an administrative decision of the Building Official, Fire Official, or any other City official to the Building Standards Board, when said decision is relative to the application, enforcement, or interpretation of this Code.</p> <p>The Building Standards Board is established in Mesquite City Code, Chapter 20, Article IV, Division 4 (Building Standards Board).</p> <p>The process and procedures for appealing an administrative decision are set forth in Chapter 5, Article XIII (Appeals of Administrative Decisions to Building Standards Board).</p> <p>Appeal of an Administrative Decision relative to a Certificate of Occupancy: When an appeal of an administrative decision is relative to a Certificate of Occupancy the appeal shall be to the Board of Adjustment for its denial, revocation, suspension, or otherwise (in accordance with Mesquite Zoning Ordinance, Part 5, 5-100, Section 5-106 (Certificate of Occupancy)).</p> <p>The process and procedures for appealing an administrative decision relative to a Certificate of Occupancy, or any other administrative decision made under the Mesquite Zoning Ordinance, are set forth in Mesquite Zoning Ordinance, Part 5, 5-200, Section 5-210 (Appeals of Administrative Decisions to Board of Adjustment).</p>
05	IPMC 107.1 Unlawful Acts.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>107.1: Unlawful acts. It shall be unlawful for any person, firm, corporation, or entity to be in conflict with or in violation of any provisions of this code, or erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure, or equipment regulated by this code, or cause same to be done, in conflict with, or in violation of, any provisions of any code of the City of Mesquite.</p>
06	IPMC 107.2 Notice of Violation.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>107.2: Notice of violation. The Code Official is authorized to serve a notice of violation or order on the owner of the premises, or any person, firm, corporation, or other entity responsible for the maintenance of a building or structure, in violation of the provisions of this code. Such order may direct the discontinuance of the illegal action or condition and the abatement of the violation.</p>

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07	IPMC 107.3 Prosecution of Violation.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>107.3: Prosecution of failure to promptly comply with “Notice of Violation”. Failure to promptly comply with "Notice of Violation" issued by the Code Official shall constitute a separate violation of this code and may be prosecuted as such by the City. This section shall not be construed as requiring notification, or any other condition, to any proceeding seeking to address any violation of the provisions of this code.</p>
08	IPMC 107.4 Violation Penalties.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>107.4: Violation penalties. Any person who violates a provision of this code, or fails to comply with any of the requirements thereof, or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issue under the provisions of this code shall be subject to penalties as prescribed by law and herein in this Article.</p> <p>Nothing in this code shall be construed to interfere, inhibit, or otherwise affect the pursuit of legal remedies or proceedings to restrain, correct, abate, or otherwise address any violation of this code, or to remove or terminate unlawful occupancy of a premises in violation of the provisions of this code.</p>
09	IPMC 107.5 Abatement of Violation.	<p><i>Delete this section.</i></p>
10	IPMC 108.1 Authority.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>108.1: Authority. Whenever the Code Official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 108.2 and 108.3 to the person responsible for the violation as specified in this code.</p>
11	IPMC 108.2 Issuance.	<p><i>Amend section in its entirety to read as follows:</i></p> <p>108.2: Form. Such notice prescribed in Section 108.1 shall be in accordance with all off the following:</p> <ol style="list-style-type: none"> 1. Be in writing. 2. Include a description of the real estate sufficient for identification. 3. Include a statement of the violation or violations and why the notice is being issued. 4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the structure or premises into compliance with the provisions of this code.

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12	IPMC SECTION 111 Demolition	<i>Delete this section in its entirety including the subsections.</i>
13	IPMC 302.4 Weeds.	<i>Amend the first paragraph in its entirety to read as follows:</i> 302.4: Weeds. Premises and exterior property shall be maintained free from weeds or plant growth in excess of eight inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants, and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. * * *
14	IPMC 305.1.2 Animal Waste.	<i>Amend by adding a new section to read as follows:</i> 305.1.2: Animal waste. The duty of occupants to maintain the interior of a structure in a clean and sanitary condition shall include, but not be limited to, keeping the interior clean of any animal carcasses or accumulation of waste, urine or other excrement and the prompt removal and approved disposal of carpet, flooring, sheetrock or other furniture, fixtures or building materials, which due to contamination or excessive soiling constitute a source of stench, bio aerosols, ammonia concentration or may contribute to the transmission of zoonotic disease. It shall be unlawful and an offense for the owner of the structure to fail or refuse to remove and dispose of said furniture, fixtures or building materials when so ordered by the Code Official, or when permitted by the Code Official, to fail or refuse to seal contaminated or soiled concrete or other hard surface structural components.
15	IPMC 602.3 Heat Supply.	<i>Amend section in its entirety to read as follows:</i> 602.3: Heat supply. Every owner and operator of any building who rents, leases, or lets one (1) or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than sixty-eight (68) degrees F (20 degrees C) in all habitable rooms, bathrooms, and toilet rooms.
16	IPMC 604.1 Facilities Required.	<i>Amend section in its entirety to read as follows:</i> 604.1: Facilities required. Every occupied building shall be provided with an operational, functioning electrical system in compliance with the requirements of this section and Section 605.

(Ord. No. 4954, § 2(Exh. A), 5-2-22; Ord. No. 5061, § 5(Exh. D), 9-5-23)

Secs. 7-322—7-400. – Reserved.

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