

ORDINANCE 2014-02

AN ORDINANCE OF THE CITY OF MEADOWS PLACE, TEXAS, DELETING SUBSECTION 150.02(G)(3) OF THE CODE OF ORDINANCES; AMENDING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE BY PROVIDING RULES AND REGULATIONS FOR DRIVEWAYS; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the City Council of the City of Meadows Place, Texas, (“City”) finds that broken, cracked, uneven, and separated driveways present a hazard to property owners, guests, invitees, renters, and potential property owners;

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

Section 1. That the facts contained in the preamble of this Ordinance are true and correct and incorporated herein for all purposes.

Section 2. Subsection 150.02(G)(3) of the Code of Ordinances of the City of Meadows Place Texas, is deleted and a new Subsection 150.02(G)(3) of the Code of Ordinances is added to provide as follows:

“(3) Amendments. The 2012 International Property Maintenance Code shall be amended to read as follows:

(i) Subsection 101.1 is amended to read as follows: Subsection 101.1 Title. These regulations shall be known as the International Property Maintenance Code of the City of Meadows Place, Texas, hereinafter referred to as “this code.”

(ii) Sections 103, 104, 107, 108, 110, and 111 are deleted.

(iii) Section 106 is deleted and a new Section 106 is added to read as follows: Section 106 Violations.

106.1 Unlawful acts. It shall be unlawful for a person, entity, firm, or corporation to violate of any of the provisions of this code. Any person who violates or causes, allows or permits another to violate any provision of this code shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars (\$500.00) unless such violation implicates fire safety, zoning, or public health and sanitation including dumping of refuse in which case the fine amount shall not be more than two thousand dollars

(\$2,000.00). Each occurrence of any violation of this code shall constitute a separate offense. Each day on which any violation of this code occurs shall constitute a separate offense. In addition to or in lieu of the penalty provided for above, the city attorney may institute any civil or criminal proceeding authorized by law to correct, abate, remove, restrain, or prosecute a violation of this code or to prevent illegal occupancy of a building, structure, improvement, or premises, or to stop an illegal act, conduct, business, or utilization of a building, structure, improvement, or premises.

(iv) Subsection 112.4 is deleted.

(v) 302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. Driveways which contain a vertical difference of two (2) inches or more of the surface, a horizontal separation of two (2) inches or more of the surface, or which have a low or sunken surface causing water to stand or pool all constitute hazardous conditions.”

(vi) Subsection 302.4 is deleted.

(vii) Subsection 302.8 is deleted and a new Subsection 302.8 is added to read as follows: 302.8 Vehicles. Painting of vehicles is prohibited unless conducted inside an approved spray booth. Major vehicle repairs shall be performed only inside a structure or similarly enclosed area designed and approved for such purposes. Major vehicle repairs shall include but not limited to the removal of engines, rebuilding of engines, repair of the internal components, repair or removal of differentials or axles, dismantling of vehicles, body work, or other similar repair work but excludes maintenance, repair, or replacement of the alternator, generator, starter, water pump, battery, brakes or part thereof; minor tune-up which consists of distributor cap, rotor and spark plug replacement; change of oil and filter, fan belt, or hoses; lamp replacement; repair of flat tires; lubrication; or other similar minor repair work.

(viii) Subsection 303.1 is deleted and a new Subsection 303.1 is added to read as follows: Subsection 303.1 Swimming pools, spas, and hot tubs. Swimming pools, spas, and hot tubs shall be maintained in a clean and sanitary condition, and in good repair.”

Section 3. *Penalty.* Any person who violates or causes, allows or permits another to violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than five hundred dollars (\$500.00) unless such violation implicates fire safety, zoning, or public health and sanitation


including dumping of refuse in which case the fine amount shall not be more than two thousand dollars (\$2,000.00). Each occurrence of any such violation of this Ordinance shall constitute a separate offense. Each day on which any such violation of this Ordinance occurs shall constitute a separate offense.

Section 4. *Severability.* In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Meadows Place, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 5. *Repeal.* All ordinances or parts thereof in conflict with this Ordinance are repealed to the extent of such conflict.

Section 6. *Effective date.* This Ordinance shall become effective when published as required by law.

PASSED, APPROVED, and ADOPTED this the 28th day of January, 2014.



Charles D. Jessup, IV, Mayor

ATTEST:



Janice M. Moore, City Secretary