

ORDINANCE NO. 2017-0912-05 File No. ____
STANDARDS FOR HABITABILITY OF BUILDINGS

AN ORDINANCE OF THE CITY OF ROPESVILLE, TEXAS PRESCRIBING MINIMUM STANDARDS FOR HABITABILITY OF BUILDINGS USED FOR RESIDENTIAL PURPOSES; PROHIBITING RESIDENTIAL OCCUPANCY OF BUILDINGS NOT MEETING MINIMUM STANDARDS FOR HABITABILITY FOR ENFORCEMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of Alderman of the City of Ropesville has determined that the occupancy of buildings for residential purposes that do not meet minimum standards for habitability constitutes a threat to the health and safety of its occupants, and in addition, constitutes a threat to the public health and safety;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ROPESVILLE, TEXAS:

Section 1. Definitions.

The following words and terms shall have the definitions herein set forth.

- (1) **Buildings.** All buildings, structures, mobile homes, HUD-Code manufactured homes, and other structures, whether used or intended for use as residences, or for commercial, business or industrial purposes, or for storage, or otherwise, including sheds of barns, and all addition to or portions of, any of the foregoing.
- (2) **Substandard Buildings.** Any building, in which there exists any of the following listed conditions:
 - a. General dilapidation resulting from age, deterioration, lack of maintenance, continuing neglect, or casualty resulting from fire, flooding, or storm damage;
 - b. Deteriorated or inadequate flooring or foundations;
 - c. Walls, partitions, or other vertical supports that split, lean, bulge, or buckle due to defective materials or deterioration;
 - d. Roofs, ceilings, ceiling or roof supports which sag, split or buckle due to defective materials;
 - e. Lack of connection to required water supply or sewage disposal systems;
 - f. Lack of or improper plumbing or sewage disposal systems;
 - g. Lack of or improperly operating electrical lighting or wiring;
 - h. The building is not secured or cannot be secured to prevent unauthorized entry;
 - i. Abandonment of building or structures.
- (3) **Dangerous Buildings.** Any building which is determined to be a substandard building to such a degree that it constitutes a clear danger to public health and safety or to any person who might be within the building, structure or portion thereof.

Section 2. Residential Occupancy Prohibited.

No person shall be permitted to reside in, or otherwise occupy as a residence, any building classified as a Dangerous Building.

Section 3. No person shall be permitted to reside in, or otherwise as a residence, any building that (a) is not connected to an approved water supply system, and (b) is not connected to an approved sewage disposal system.

Section 4. Upon determination that any violation of Sections 2 or 3 has occurred, the City of Ropesville may institute whatever proceedings are necessary to prevent further violation(s), specifically including, but not limited to, the institution of proceedings to obtain temporary or permanent injunctive relief.

Section 5. Severability.

If, for any reason, any one or more paragraphs of this ordinance are held invalid by a court of competent jurisdiction, such holding shall not effect, impair or invalidate the remaining paragraphs of this ordinance, but shall be confined in its operations to the specific sections, sentences, clauses or parts of this ordinances in any one or more instances shall not effect or prejudice, in any way, the validity of this ordinance in any other instance.

PASSED, APPROVED, AND ADOPTED this the 12th Day of September, 2017 at regular meeting, a quorum being present by a vote of 3 in favor and 0 in opposition to its passage on first reading.

Brenda Rabel

Brenda Rabel
Mayor

ATTEST:

Ofelia Corral
City Secretary

PASSED, APPROVED, AND ADOPTED this the 28th Day of September, 2017, at regular meeting, a quorum being present by a vote of 2 in favor and 0 in opposition to its passage on second reading.

Brenda Rabel

Brenda Rabel
Mayor

ATTEST:

Ofelia Corral
City Secretary

