

MOTION WAS MADE BY MAYOR PRO TEM MICHELE CHANDLER, SECONDED BY COUNCILMEMBER BUTCH BATEMAN, THAT THE FOLLOWING ORDINANCE BE PASSED:

**ORDINANCE NO. 2009-342**

**AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF PANORAMA VILLAGE, TEXAS, AMENDING PROVISIONS OF THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE, TO PROVIDE SPECIFIC REQUIREMENTS REGARDING THE MAINTENANCE OF PROPERTY WITHIN THE CITY; PROVIDING FOR STORAGE IN AN ENCLOSED AREA; PROVIDING FOR REMOVAL OR REPAIR OF DAMAGED PROPERTY AFTER SEVERE WEATHER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A TEXAS OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council has adopted the 2009 International Property Maintenance Code as an enforceable regulation governing existing structures and premises designed to preserve and protect the property values in the City of Panorama Village; and

**WHEREAS**, the City Council of the City of Panorama Village believes it is in the best interest of its residents that certain additional requirements be set out in the 2009 International Maintenance Property Code ("the Code") which further provide for the health and safety of the residents of Panorama Village and preserve and protect the property values therein;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PANORAMA VILLAGE, TEXAS, THAT:**

I.

1. SECTION 302.4 OF THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE (" THE CODE") IS HEREBY AMENDED TO READ AS FOLLOWS:

**302.4 Weeds.** *All premises and exterior property shall be maintained free from weeds or plant growth in excess of eight (8) inches. All 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.*

*Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon and the costs of such removal shall be paid by the owner or agent responsible for the property to the City of Panorama Village within thirty (30) days.*

2. SECTIONS 302.10 and 302.11 ARE ADDED TO THE CODE TO READ:

**302.10 Storage of Equipment.** *Storage of equipment and miscellaneous personal property shall be stored in an enclosed area.*

**302.11 Landscaping.** *No trees, landscaping, flower beds, etc. may be placed so as to obstruct the view of the residence or create a traffic hazard.*

3. SECTION 304.13 OF THE CODE IS HEREBY AMENDED TO READ:

**304.13 Window, Skylight and Door Frames.** *Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight. All windows shall be free of any obstructing material that could be considered unsightly or not considered a natural part of the structure (ex: aluminum foil, painting the glass black, cardboard, wood, or the like).*

4. SECTION 308.3.1 OF THE CODE IS HEREBY AMENDED TO READ:

**308.3.1 Facilities.** *The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit, or an approved leak proof, covered, outside garbage container.*

5. SECTION 309.2 OF THE CODE IS HEREBY AMENDED TO READ:

**309.2 Owner.** *The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure. Upon renting or leasing, the lease agreements must clearly identify who is responsible for exterminating the premises.*

6. SECTION 310 IS ADDED TO THE CODE TO READ:

**SECTION 310**  
**SEVERE WEATHER CONDITIONS**

**310.1 Temporary Measures.** *Any provision made in preparation for severe weather conditions shall be promptly removed and stored or discarded once the danger has passed.*

**310.2 Property Damage.** *Any damage to property and debris caused by severe weather conditions shall be repaired, corrected, removed, or placed for removal as soon as practical, but not to exceed sixty (60) days.*

II.

**SEVERABILITY CLAUSE**

If any part or parts of the Ordinance shall be held unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining parts of this ordinance. It is hereby declared that the remaining parts of this Ordinance shall have been ordained and passed had it been known that such parts hereof would be declared unconstitutional and invalid.

III.

**REPEALING CLAUSE**

All ordinances, or parts of ordinances and motions in conflict with the provisions of this Ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this Ordinance shall remain in full force and effect, to include the criminal penalty and such other provisions as set out in City Ordinance No.2009-325, dated March 25, 2009.

IV.

**TEXAS OPEN MEETINGS ACT**

It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**V.**  
**EFFECTIVE DATE**

This Ordinance shall be effective after its passage and publication as provided by law.

PASSED AND APPROVED this 24th day of November 2009.

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HOWARD KRAVETZ, Mayor

ATTEST:

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LISA EVANS, City Secretary

APPROVED AS TO FORM:

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LARRY L. FOERSTER, City Attorney