

**Ordinance No. 2004.09
Village of Salado
County of Bell
State of Texas
June 17, 2004**

AN ORDINANCE OF THE VILLAGE OF SALADO, TEXAS, ADOPTING THE 2003 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE VILLAGE OF SALADO; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFORE; REPEALING ALL OTHER ORDINANCES AND PARTS FO THE ORDINANCES INCONFLICT THEREWITH.

WHEREAS, the Village of Salado Board of Aldermen seek to make all habitations by humans safe and sanitary; and

WHEREAS, the 2003 Edition of the International Property Maintenance Code is fully compatible with all the International Codes published by the International Code Council (ICC).

NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE OF SALADO BOARD OF ALDERMEN:

SECTION 1.

That a certain document, one (1) copy of which is on file in the office of the Village Secretary of the Village of Salado, Texas, being marked and designated as the International Property Maintenance Code, 2003 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the Village of Salado, in the State of Texas for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Village of

ordinance, with the additions, insertions, deletions and changes prescribed in Section 2 of this ordinance.

SECTION 2.

- (1) **Section 101.1** of the International Property Maintenance Code, 2003 Edition, is amended to read as follows:

101.1 Title. These regulations shall be known as the property maintenance code of the Village of Salado, and shall be cited as such and will be referred to herein as “this code”.

- (2) **Section 102.3** of the International Property Maintenance Code, 2003 Edition, is amended to read as follows:

102.3 Application of other codes. Repairs, additions, or alterations to the structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Existing Building Code. ~~(Deleted “Nothing in this code shall be construed to cancel, modify or set aside any provision of the International Zoning Code.”)~~

- (3) **Section 102.7** of the International Property Maintenance Code, 2003 Edition, is amended to read as follows:

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in chapter 8 and such codes, when specifically adopted, and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where the requirements of referenced standards or Manufacture’s installation instructions do not conform to minimum provisions of this Code, the provisions of this code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well.

- (4) **Section 103.3 and 103.5** of the International Property Maintenance Code, 2003 Edition, is amended to read as follows:

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the Chief appointing authority shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees.

103.5 Fees. The fees for each permit shall be paid as required, in accordance with the Schedule as established by the Village of Salado Board of Aldermen. The fee for activities and services performed by the department in carrying out its responsibilities under the Property Maintenance Code shall be due when inspection request is made and charged as indicated below.

Certificate of Occupancy Inspection	\$90.00
Follow-up Inspection (any kind)	\$45.00

(5) **Section 104.2** of the International Property Maintenance Code, 2003 Edition, is amended to read as follows:

104.2 Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

(6) **Section 105.1** of the International Property Maintenance Code, 2003 Edition, is amended to read as follows:

105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall document the difficulties and review them with the Village of Salado permit approval authority, which shall have the authority to grant modifications for individual cases. The code official shall first find that special individual reason makes the strict letter of this code impractical. Modifications will not lesson health, life and fire safety requirements.

(7) **Section 106.4** of the International Property Maintenance Code, 2003 Edition, is amended to read as follows:

106.4 Violation penalties. Any persons who shall violate a provision of this code, or fail to comply therewith, or fail to comply with any of the requirements thereof or who shall erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit issued under the provisions of this code, shall be guilty of a Class C misdemeanor, punishable by a fine of not more than \$2,000 dollars. Each day that a violation continues after due notice has been served shall be deemed a separate offense.”

(8) **Section 108.1.2** of the International Property Maintenance Code, 2003 Edition, is amended to read as follows:

108.1.2 Unsafe equipment includes any boiler, heating **and/or cooling** equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

(9) **Sections 109.4 through 109.6** of the International Property Maintenance Code, 2003 Edition, are amended by **deleting them in their entirety.**

(10) **Section 110.1** of the International Property Maintenance Code, 2003 Edition, is amended to read as follows: **Changed to read 180 days, to demolish and remove such structure.**

(11) **Section 111.2** of the International Property Maintenance Code, 2003 Edition, is amended to read as follows:

111.2 Membership of board. The board of appeals shall consist of a minimum of three members. The code official shall be an ex-officio member but shall have no vote on any matter before the board.

Also, Delete last sentence.

(12) **Section 111.2.1 Alternate members. Delete in its entirety.**

(13) **Section 302.4** of the International Property Maintenance Code, 200 Edition, is amended to read as follows:

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in accordance with existing Village of Salado Health and Sanitation Code 2003.02. All noxious weeds...

(14) **Section 304.14** of the International Property Maintenance Code, 2003 Edition, is amended to read as follows:

304.14 Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or anywhere products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitted screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.”

(15) **Section 602.3** of the International Property Maintenance Code, 2003 Edition, is amended to read as follows:

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory, or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 65°F (18°C) in all habitable rooms, bathrooms, in addition, toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

(16) **Section 602.4** of the International Property Maintenance Code, 2003 Edition, is amended to read as follows:

602.4 Occupiable Work Spaces. Indoor occupied workspaces shall be supplied with heat maintaining a temperature of not less than 65°F (18°C) during the period the space is occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.”

CODE CONFLICTS

If any provision of this Ordinance shall be interpreted as conflicting with or being contrary to a provision in any of the codes adopted by this Ordinance, the more stringent requirement shall govern. If in case of a conflict it is not easily discernible which provision is more stringent, the requirements stated in the text of this Ordinance shall govern.

SEVERABILITY

It is hereby declared to be the intention of the Board of Aldermen that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed 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. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

PASSED AND APPROVED on this, the 17th day of June, 2004, by a vote of 4 ayes, 0 nays, and 0 abstentions of the Board of Aldermen.

THE VILLAGE OF SALADO, TEXAS



Rick Ashe, Mayor

CERTIFICATE

THE STATE OF TEXAS
COUNTY OF BELL

I, Dianna Zulauf, being the current Village Secretary of the Village of Salado, Texas, do hereby certify that the attached is a true and correct copy of Ordinance No. 2004.09, passed and approved by the Board of Aldermen of the Village of Salado, Texas, on the 17 day of June, 2004, and such Ordinance was duly adopted at a meeting open to the public and notice of said meeting, giving the date, place and subject thereof, was posted as prescribed by Government Code 551.043.

Witness my hand and seal of office this 21 day of June, 2004.



Dianna Zulauf
Villag