

Ordinance

amending the Corpus Christi Code of Ordinances Chapter 13, Article II to repeal the adoption of the Southern Standards Housing Code, 1973 Edition and to adopt the Corpus Christi Property Maintenance Code; amending Chapter 13, Article II to extend the time to appeal Building Standard Board decisions and allow for the recoupment of title search expenses; amending Chapter 13, Article II, Division II to modify the definition and procedures for junk vehicles; amending §13-3002 to add the definition of hearing officer; repealing Chapter 13, Article IV in its entirety; repealing in its entirety Ordinance No. 12826 regarding fire breaks; authorizing the City Manager or his designee to execute a licensing agreement with the International Code Council for copyright use of the International Property Maintenance Code; providing for severance; providing for penalties; providing for publication; and providing for effective date.

WHEREAS, the City Council desires to provide a uniform and updated minimum property standards code for the City of Corpus Christi by incorporating the “Corpus Christi Property Maintenance Code” into the Corpus Christi Code of Ordinances;

WHEREAS, in order to properly incorporate the Corpus Christi Property Maintenance Code, it is desired that amendments be made to §13-20 et seq of Chapter 13 of the Corpus Christi Code at Article II Building and Housing Standards Code, Division I, which in pertinent part repeals the adoption of Chapters II and III of the 1973 Edition of the Southern Standards Housing Code as the minimum property maintenance code for the City and adopts the Corpus Christi Property Maintenance Code as the minimum property maintenance code for the City;

WHEREAS, it is desired that amendments be made to §13-38 et seq of Chapter 13 of the Corpus Christi Code at Article II Building and Housing Standards Code, Division II, Junked Vehicles, to include watercraft and aircraft in accordance with laws of the State of Texas;

WHEREAS, it is desired that amendments be made to §13-3002, the definition section of Chapter 13, of the City Code, Article III Vacant Buildings;

WHEREAS, it is desired that §13-4001 et seq, Chapter 13 of the City Code at Article IV Downtown Vacant Buildings, be repealed as §13-3001 et seq, Chapter 13 of the Corpus Christi Code at Article III Vacant Buildings, provides uniform and updated standards in association with the Corpus Christi Property Maintenance Code;

WHEREAS, Ordinance No. 12826 adopted in 1975 regarding fire breaks was never incorporated into the Corpus Christi Code. As uniform and updated standards are to be incorporated into the Corpus Christi Property Maintenance Code, it is desired that Ordinance No. 12826 be repealed;

WHEREAS, the Corpus Christi Property Maintenance Code will contain substantial copyrighted material from the 2009 International Property Maintenance Code (IPMC) which is copyrighted work owned by the International Code Council (ICC) and in order to be reproduced by the City, written permission of the ICC is required. Accordingly, it is desired that the City Manager or his designee be authorized to execute a licensing agreement with the ICC for copyright use of the IPMC.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS that:

SECTION 1: The Corpus Christi Code, §13-20 et seq of Chapter 13, Article II Building and Housing Standards Code, Division 1, entitled "Generally", is amended by adding the following language that is underlined (added) and deleting the language that is stricken (~~deleted~~) as delineated below, therein in pertinent part, repealing the adoption of Chapters II and III of the 1973 Edition of the Southern Standards Housing Code as the minimum property maintenance code for the City and adopting the Corpus Christi Property Maintenance Code as the minimum property maintenance code for the City, in the form incorporated and as posted online at http://www.cctexas.com/Assets/Departments/Police/Code-Enforcement/files/CouncilExhA_CCPMC_FinalDraftvACM.PDF since March 24, 2015:

"CHAPTER 13 CODE ENFORCEMENT, HOUSING AND HOUSING PREMISES STANDARDS, AND NEIGHBORHOOD IMPROVEMENT

ARTICLE II. ~~BUILDING AND HOUSING STANDARDS~~ CORPUS CHRISTI PROPERTY MAINTENANCE CODE

DIVISION 1. GENERALLY

Sec. 13-20. ~~Short title; scope~~ Adoption of the Corpus Christi Property Maintenance Code.

The Corpus Christi Property Maintenance Code is hereby adopted as the minimum property maintenance code for the City. A copy of the adopted code is on file with the City Secretary's Office.

~~(a)The provisions embraced within this article shall constitute and be known and may be cited as the Building and Housing Standards Code, hereinafter referred to as "this code."~~

~~(b)This code is hereby declared to be remedial and shall be construed to secure the beneficial interests and purposes thereof which are public safety, health and general welfare, through structural strength, stability, sanitation, adequate light and ventilation and safety to life and property, prevention of fire and other hazards incident to the construction, alteration, repair, removal, demolition, use and occupancy of buildings or structures.~~

Sec. 13-21 Applicability.

~~(a) This code shall apply to the buildings, structures, substructures or otherwise herein mentioned and shall be administered in conjunction with other codes.~~

~~(1) Every building or structure used in whole or in part as a dwelling unit or multiple dwelling, or as a rooming house, shall conform to the requirements of this code irrespective of the primary use of such building and irrespective of when such building may have been constructed, altered or repaired.~~

~~(2) This code establishes minimum standards for occupancy and does not replace or modify standards otherwise established for construction, replacement or repair of buildings except such as are less restrictive than the provisions of this code.~~

~~(3) This code shall cover all unsafe buildings whether vacant or used for human habitation, or used for some other purpose.~~

~~(b) The provisions of this code shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.~~

~~(c) The provisions of this code shall apply to any building or structure irrespective of when such building or structure was constructed, altered or repaired.~~

~~(d) All buildings or structures, both existing and new, and all parts thereof shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this code in a building when erected, altered or repaired shall be maintained in good working order.~~

~~(e) No provision of this code shall be held to deprive any federal or state agency or any municipal authority having jurisdiction of any power or authority which it had on the effective date of this article or of any remedy then existing for the enforcement of its orders, nor shall it deprive any individual or corporation of its legal rights as provided by law.~~

Sec. 13-22. Adoption of Chapters II and III, Southern Standard Housing Code, as herein amended.

~~(a) Chapters II and III, as amended herein, of the book entitled, Southern Standard Housing Code, 1973 Edition (a copy of which, authenticated by the signatures of the mayor and the city secretary and made a public record by this section is on file in the city secretary's office) is hereby adopted as part of the building and housing standard code of the city, as fully as if copied at length in this section; the purpose of such adoption and incorporation of Chapters II and III of said book being to make the definitions in Chapter II apply to all buildings as defined in said chapter and to make Chapter III therein relating to minimum standards applicable to dwellings and apartments or buildings or structures used as such.~~

~~Section 302. Minimum requirements for light and ventilation, is amended by adding to subsection 302.4, electrical lights and outlets required, a last sentence reading as follows:~~

~~Lights in the kitchen and bathroom shall be controlled with proper wall switches.~~

~~Section 304. General requirements for exterior and interior of structures. The following phrase shall be added after all clauses where "dwelling building" appears: "and/or any other structure."~~

~~Section 304.2. Exterior walls. The exterior walls shall be substantially weathertight, watertight, and impervious to the adverse effect of weather and be maintained to the extent that the material is in sound condition. Where the building or part thereof is of pier construction, the siding shall be a minimum of six (6) inches above grade.~~

~~Section 304.16. Interior floor, walls and ceilings, is hereby amended to hereafter read as follows:~~

~~Section 304.16. Every floor, interior wall and ceiling shall be substantially rodentproof; shall be maintained in sound condition and good repair; and shall be in a condition safe to use and capable of supporting the load under normal use. Bathroom floor and walls around tub and shower shall have a water resistant surface.~~

~~Section 304 is hereby amended by adding a new subsection:~~

~~Section 304.19. Kitchen requirements.~~

~~Each living unit shall have a specific kitchen space which contains a sink with counter work space, not less than thirty (30) square feet of shelving for storing dishes and cooking utensils, and space for cooking and refrigeration equipment.~~

~~Section 308.2 and section 308.3 are hereby deleted.~~

Sec. 13-21 ~~23~~. Establishment of organization to enforce article Corpus Christi Property Maintenance Code; code official and building standards board.

(a) There is hereby established in the city an organization for the enforcement of ~~this code~~ the Corpus Christi Property Maintenance Code or of any rule or regulation concerning the health, safety, or general welfare adopted by the city as it relates to structures or premises, consisting of (1) a building standards board, and (2) the office of the code enforcement division. ~~official and/or his duly authorized representative.~~

(1) *Building standards board.*

(i) There is hereby created a building standards board hereinafter referred to as "the board" to be composed of seven (7) members, each of whom shall be a resident of the city. Such board shall be composed of one

lawyer, and three (3) members chosen from the following: A realtor, an architect, an engineer, a general contractor, a home builder or a building materials dealer; and three (3) members at large from the residents of the city who are homeowners. This board shall be appointed by the city council.

(ii) Of the members first appointed, three (3) shall be appointed for a term of one (1) year, two (2) for a term of two (2) years, two (2) for a term of three (3) years, and thereafter they shall be appointed for terms of three (3) years. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. The unexcused absence of any member from three (3) consecutive official meetings of the board shall automatically terminate his membership on the board.

(iii) Four (4) members of the board shall constitute a quorum. In varying the application of any provisions of this code or in making any decision, affirmative votes of the majority present, but not less than four (4) affirmative votes, shall be required. No board member shall act in a case in which he has a personal interest.

(iv) The board shall establish rules and regulations for its own procedure, not inconsistent with the provisions of this code. The board shall meet at regular intervals to be determined by the chairman, and shall meet for such hearings as are required to be held upon complaints filed by the official and for such hearings as are requested in writing by a citizen whose property is, or may be, affected adversely by the application of any provisions of this code.

(2) The office of the code enforcement division is created and established in accordance with the provisions of §103 of the Corpus Christi Property Maintenance Code, wherein the director of the code enforcement division, or such other city officer or employee as the City Manager may designate in writing, shall be known as the code enforcement official, hereinafter the "code official". ~~There is hereby created the office of the official and the holder of said office will be the director of neighborhood improvement or such other city officer or employee as the city manager may designate in writing and the designation filed in the office of the city secretary.~~

~~(b) No employee connected with the organization shall be financially interested in the furnishing of labor, material or appliances for the construction, alteration or maintenance of a building of which he is not the sole or part owner or in the making~~

of plans or of specifications therefor. No such officer or employee shall engage in any work which is inconsistent with his duties or with the interests of the organization.

Sec. 13-24. Powers and duties of official.

(a)The official shall keep or cause to be kept a record of the business of this office. The records of the office of the official shall be open to public inspection.

(b)The official shall enforce the provisions of this code. He shall make or cause to be made, inspections to determine the condition of the buildings, dwellings, dwelling units, rooming units and premises in the interest of safeguarding the health and safety of the occupants of dwellings, the neighborhood, and of the general public. For the purpose of making such inspection the official or his agent shall have the authority, upon presentation of proper identification to the owner, agent or person in charge of the property, to request permission to enter the building, structure, dwelling, apartment, apartment house or premises, during all reasonable hours. In cases of emergency where extreme hazards are known to exist which may involve the potential loss of life or severe property damage, no request is necessary. In either case entry may be requested at any reasonable time. In the event of refusal, he shall use any lawful means to obtain entry and inspect the premises.

(c)If a building, premises or property is unoccupied, vacant, or otherwise uninhabited by humans, but which is otherwise open and may be entered by derelicts, vagrants or children, the official shall have the same power of inspection as aforementioned, including the right of inspection without requesting permission of the owner or other person in charge, and if found to be in violation of this code, may placard it so as to prevent any occupancy of the building, premises or property for human use or habitation, or any other use.

(d)It shall be the duty of the official or his designated representative to inspect all buildings or structures reported to be or believed to be substandard. He shall make a record of every such inspection and of all violations of this code.

(e)Any requirement, not specifically covered by this code, found necessary for the safety, health and general welfare of the occupants of any building or structure shall be determined by the official subject to appeal to the building standards board.

(f)Neither the city nor any authorized agent acting under the terms of this article in the discharge of his duties shall be liable or have any liability by reason of orders issued or work done in compliance with the terms of this article.

Sec. 13-25. Minimum standards for buildings.

All buildings or structures which have any or all of the following defects or lack of facilities shall be deemed substandard buildings:

- (1) All buildings or structures not in conformity with this code.

~~(2) All buildings or structures which have pit privies where the same are not permitted by law or which are not connected to the city sewer when required by law, or where inadequate and unsanitary pit privies or septic tanks exist.~~

~~(3) All buildings or structures that have become deteriorated through accident or lack of repair or natural causes or by damage through exposure to the elements, especially winds, hail or rain, or damage through fire to the extent that the roof, windows and doors or portions of the building or structure which protect from the weather will no longer protect from the weather.~~

~~(4) All buildings or structures which constitute or in which are maintained fire hazards as that term is defined in the fire prevention code ¹³¹ of the city.~~

~~(5) All buildings or structures which are so structurally deteriorated that they are in danger of collapse or which cannot be expected to withstand winds of hurricane force.~~

~~(6) All buildings or structures so constructed or permitted to be so constructed as to constitute a menace to health or safety, including all conditions conducive to the harboring of rats or mice or other disease-carrying animals or insects reasonably calculated to spread disease and including such conditions hazardous to safety as inadequate bracing or the use of deteriorated materials.~~

~~(7) All buildings or structures, whether or not in use, which are unsafe, unsanitary, unfit for human habitation, or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to the existing use constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence or abandonment are unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the procedures set forth in this code.~~

Sec. 13-22 26 . Procedure for eliminating substandard conditions.

(A) *Notification Notice of violation.* Whenever the code official determines that there are reasonable grounds to believe that there has been or continues to be a violation of any provision of this code ~~the Corpus Christi Property Maintenance Code~~ or of any rule or regulation concerning the health, safety, or general welfare adopted by the city as it relates to structures or premises, he shall give notice of such alleged violation to the owner of the property as per a method enumerated in subsection ~~(C)~~ (D) below. Such notice shall:

(1) Be in writing.

(2) State the nature of the violation or violations.

(3) State the violation provision or provisions of ~~this code~~ the Corpus Christi Property Maintenance Code or any other relevant code of the city that is being violated and why the notice is being issued.

(4) State the penalty and penalty provision of ~~this code~~ the Corpus Christi Property Maintenance Code or any other relevant code of the city.

(5) State that the code official will take further action pursuant to the ~~building standards~~ Corpus Christi Property Maintenance Code ~~code~~ if the violation is not cured within ~~thirty (30)~~ 30 days of receipt of the notice specified in this subsection.

(6) Include a description of the real property sufficient for identification

(7) Inform property owner of the name and phone number of the code official or designee.

(8) When a notice is provided under this section, the code official may inform the owner that if the owner commits another violation of the same subsection of this code on or before the first anniversary of the date of the notice, the City, without further notice, may proceed with the prosecution of said violation.

(B) ~~Notification of hearing~~ Action upon failure to comply with notice. Whenever the owner, after notification as per subsection (A), informs the code official that he refuses to voluntarily comply with the requirements of ~~this code~~ the Corpus Christi Property Maintenance Code or to voluntarily cure the defect or defects brought to his attention by the code official, or whenever the alleged violation or violations are not cured within ~~thirty (30)~~ 30 days of receipt of the notice described in subsection (A), or within such further time as may be agreed between the code official and the owner or occupant, or whenever the notice pursuant to subsection (A) is given as per the method enumerated in subsection ~~(C)~~ (D), (3), and ~~thirty (30)~~ 30 days have elapsed from the date of first publication, the code official:

(1) ~~may~~ May proceed to enforce the penalty provision of this section or the Corpus Christi Property Maintenance Code in municipal court; and,

(2) ~~alternatively~~ Alternatively or additionally, the code official shall present a complaint to the building standards board.

(C) Building standard board procedure. Upon presentation of a complaint by the code official, the ~~The~~ board shall hold a hearing upon the complaint not less than ~~ten (10)~~ 10 days nor more than ~~forty five (45)~~ 45 days after the complaint is filed with the chairman, and the code official shall give reasonable notice of at least ~~ten (10)~~ 10 days, as per a method enumerated in subsection ~~(C)~~ (D) below, of said hearing, to the owner, and, if

the premises are to be vacated, to the occupant, if different from the owner. Such notice of the board hearing shall:

- (1) Be in writing.
- (2) State the time, date, and place of the hearing.
- (3) State the nature of the violation or violations.
- (4) State the violation provision or provisions of this code the Corpus Christi Property Maintenance Code or of any other relevant code of the city that is being violated.
- (5) State the remedy to be sought at the hearing by the code official.
- (6) State that the owner, or the occupant, if the premises are to be vacated, shall come before the board at the hearing and show cause why the remedy to be sought by the code official should not be granted.
- (7) Include a description of the real property sufficient for identification.
- (8) Inform property owner of the right to appeal.
- (9) Include a statement of the City's right to file a lien.

The city may hire a professional for the purpose of determining the identity and address of a property owner, lienholder, mortgagee, or other person or entity with an interest in the property, to which the city is required to give notice under this section. The city has the power to cause the expense thereof to be assessed on the real estate of the lot or lots upon which such expense is incurred on filing with the county clerk of Nueces County a statement by the mayor, city health officer, or the code official of the city, of such expenses. The city shall have a lien thereon to secure the expenditure so made and ten (10) per cent interest on the amount from the date of such payment. For such expenditures and interest, as aforesaid, suit may be instituted in the name of the city, and the statement of expenses so made, as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended in such work.

~~(C)~~ (D) Method of notice. Service of any notice required by this code article or the Corpus Christi Property Maintenance Code shall be accomplished by any of the following enumerated methods:

- (1) By delivery to the owner or by leaving the notice at the usual place of abode of the owner with a person of suitable age and discretion: or
- (2) By depositing the notice in the United States post office by certified mail, return receipt requested, addressed to the owner, agent, or person in control of said structure or premises at his last known address, postage prepaid thereon; or

(3) Where the owner is unknown or his whereabouts is unknown, or where service of notice has failed under subsections (1) and (2), by an official notice in a generally circulated and recognized Corpus Christi newspaper, to be published twice within a ten-day period.

(4) If the notice is returned showing that the letter was not delivered or unclaimed, a copy thereof shall be posted in a conspicuous place on the front door of each improvement situated on the affected property or as close to the front door as practicable. The original letter which was not delivered or unclaimed shall be kept on file in the Code Enforcement Division.

~~(D)~~ (E) The provisions of subsection (B) do not preclude a person who has received notice under subsection (A) from requesting and receiving a hearing before the board under subsection (C) prior to, or instead of, a complaint being filed by the code official. Said request shall be in writing and directed to the chairman of the building standards board. A hearing requested under this subsection shall be held as soon as possible and in any event no later than ~~thirty (30)~~ 30 days from date written request for hearing is received by the chairman.

~~(E)~~ (F) *Provision for emergency.* Notwithstanding the foregoing provisions of this section, when a structure or premises, or the manner of its use constitutes an immediate and serious danger to human life or health or to property, emergency measures may be taken by the code official, in accordance with §109 of the Corpus Christi Property Maintenance Code as follows: ~~He may promptly cause such structure or premises to be made safe or removed. For this purpose, he may at once enter such structure or premises, or abutting land or structures, with such assistance and at such cost as he may deem necessary in the circumstances. He may vacate adjacent structures and protect the public by appropriate fence or such other means as may be necessary, including boarding up of vacant buildings, and for this purpose may close a public or private way.~~

~~(F)~~ (G) *Building code Technical Construction Codes applicable.* Where a structure or premises is requested or ordered, after hearing, to be repaired pursuant to this code or the Corpus Christi Property Maintenance Code, such repair, rehabilitation or restoration shall become subject to the provisions of ~~Ordinance No. 12604~~ the Technical Construction Codes, found at §14-201 et seq of this City Code, ~~known as "the Building Code"~~ as such provisions pertain to the repair of existing buildings, including but not restricted to the requirement of obtaining a permit from the building official under said building code.

~~(G)~~ (H) *Hearings and orders.*

(1)The following decisions may be made by the building standards board upon the hearing in ordering the repair, vacation, or demolition of any building or structure:

(a) If the substandard building or structure can reasonably be repaired so as to be in compliance with this code or the Corpus Christi Property Maintenance Code, it shall be ordered repaired within ~~thirty (30)~~ 30 days, or such longer time period as the board may decide in the circumstances. Such order must state that the repairs be in compliance with section 13-26~~(F)~~(G).

(b) If the substandard building or structure is so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or the public, it shall be ordered to be vacated within a prescribed time and shall be placarded to prevent occupancy until the building or structure is brought up to all minimum standards of this code or the Corpus Christi Property Maintenance Code, within ~~thirty (30)~~ 30 days or such longer time period as the board may decide in the circumstances at the hearing.

(c) If the structure or premises cannot be repaired because of the refusal of owner or its intrinsic state of disrepair or both and is dilapidated or substandard, it shall be ordered removed or demolished and removed from the premises within ~~thirty (30)~~ 30 days or such longer time period as the board may decide in the circumstances at the hearing. The board's decision shall be in writing and shall indicate the vote upon it. Every decision shall be promptly filed in the office of the code official and shall be open to public inspection; notice of their decision shall be sent as per section 13-26~~(C)~~ (D) and a copy of said notice shall be kept posted in the office of the code official for two (2) weeks after filing. The board shall in every case reach a decision without unreasonable or unnecessary delay.

(2) If, after the decision of the board as per (a) above, to either repair, rehabilitate, remove or demolish any building or structure, the owner refuses or fails to comply with the decision of the board within ~~thirty (30)~~ 30 days of the date of the board's decision, or such longer time period as the board may have allowed at the hearing, or within such extension of time as may be authorized by the board in writing pursuant to section 13-27 below, the code official may repair or demolish such building or structure and clean up the premises and remove all related debris by doing work itself or causing the work to be done and pay therefor, and shall charge the expenses incurred in doing or having such work done to the owner of such property as herein provided. The city, in addition to the foregoing remedy, has the power to cause the expense thereof to be assessed on the real estate of

the lot or lots upon which such expense is incurred on filing with the county clerk of Nueces County a statement by the mayor, city health officer, or the code official of the city, of such expenses. The city shall have a lien thereon to secure the expenditure so made and ten (10) per cent interest on the amount from the date of such payment. For such expenditures and interest, as aforesaid, suit may be instituted in the name of the city, and the statement of expenses so made, as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended in such work.

The city may punish any owner or occupant or interested party for violating the provisions of this code, ordinances and regulations of the city by such proceedings and penalties as are provided for criminal actions.

Sec. 13-~~23~~ 27. Hardships.

Where the literal application of the requirements of this code or the Corpus Christi Property Maintenance Code would cause undue hardship, exception may be granted by the board at the hearing held. Such exception shall be made in writing and only when it is clearly evident that reasonable safety and sanitation is assured, and such exception shall be conditioned in such manner as to achieve that end. Such conditions may include restrictions not generally specified by this code or the Corpus Christi Property Maintenance Code. Exception granted in accordance with this subsection may be subject to review by the city council.

Sec. 13-~~24~~ 28. Appeals.

(a) Whenever it is claimed that the decision of the building standards board is erroneous, or that the decision of the board would cause undue hardship, the owner or occupant, or his duly authorized agent, may appeal from the decision of the board to the city council. The decision of the board is final unless notice of appeal to the city council is given. Notice of appeal from the decision of the board shall be in writing and filed with the city secretary within ~~fifteen (15) days after the date of written decision rendered by the board~~ 30 days from the rendition of the decision of the board. The appeal shall state specifically the error alleged to have been committed by the board.

(b) When an appeal is pending, all orders of the board shall be suspended in their operation. The city council, on appeal, may vary the application of any provision of this code to any particular case when the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this code, the Corpus Christi Property Maintenance Code or public interest or when, in its opinion, the decision of the board should be modified or reversed.

(1) A decision of the city council to vary the application of any provision of this code or the Corpus Christi Property Maintenance Code, or to modify an order of the board in whole or in part shall specify in what manner such modification is made, the conditions upon which it is made and the reasons therefor.

(2) If the decision of the city council reverses or modifies the refusal, order, or disallowance of the board or varies the application of any provision of this code, or the Corpus Christi Property Maintenance Code, the code official shall immediately take action in accordance with such decision.

(c) The decision of the city council shall be final unless the aggrieved party appeals by instituting suit for that purpose in any court having jurisdiction within ~~fifteen (15)~~ 15 days from the date on which the decision of the city council was rendered.

~~Sec. 13-29. Penalty.~~

~~(a) Any person who shall willfully refuse or fail to leave a building which has been ordered vacated under the terms of this article or who shall enter a building which has been ordered vacated under the terms of this article or who shall enter an area around such building that has been declared to be dangerous and notice of which declaration shall have been posted or any person who shall interfere with or hinder the vacation, repair or demolition of any building under the terms of this article or who shall procure the violation of any provision of this article shall be deemed guilty of a misdemeanor and upon conviction shall be fined as provided in section 1-6 of this code, and each day's violation shall constitute a separate and distinct offense. In case the owner or occupant of any substandard building ordered vacated, repaired or demolished under the terms of this article shall be a corporation and shall violate or shall procure the violation of any provision of this article, the president, vice-president, secretary or treasurer of such corporation shall be severally liable for the penalties therein provided.~~

Sec. 13-25 ~~30~~. Disposition of items of personal property in buildings to be demolished.

In the event there are items of personal property in the premises to be demolished, according to the provisions of section 13-26, additional notice as per section 13-26~~(C)~~ (D) shall be given to the effect that if such items of personal property are not removed from the premises within ~~thirty (30)~~ 30 days, they shall be placed in storage for a period of ~~ninety (90)~~ 90 days. During this period they may be redeemed by the owner after all costs incurred in placing the items in storage and all accumulated storage fees have been paid. In the event that the property is not redeemed within ~~ninety (90)~~ 90 days the city may cause the same to be sold at auction. The proceeds of the sale shall be used to pay for any costs incurred in the storage of the property and any excess amount shall be set off against the cost of demolition to be charged to the owner.

Secs. 13-~~26~~ ~~34~~ —13-37. Reserved.

SECTION 2: The Corpus Christi Code, §13-38 et seq of Chapter 13, Article II Building and Housing Standards Code, Division II, entitled “Junked Vehicles” is amended by adding the following language that is underlined (added) and deleting the language that is stricken (~~deleted~~), to include watercraft and aircraft, as delineated below:

“CHAPTER 13 CODE ENFORCEMENT, HOUSING AND HOUSING PREMISES STANDARDS, AND NEIGHBORHOOD IMPROVEMENT

ARTICLE II. BUILDING AND HOUSING STANDARDS CODE CORPUS CHRISTI PROPERTY MAINTENANCE CODE

DIVISION 2. JUNKED VEHICLES

Sec. 13-38. Junked vehicles declared to be public nuisance.

(a) A junked vehicle, including a part of a junked vehicle, that is visible at any time of the year from a public place, public right-of-way, or adjacent private property:

- (1) Is detrimental to the safety and welfare of the public;
- (2) Tends to reduce the value of private property;
- (3) Invites vandalism;
- (4) Creates a fire hazard;
- (5) Is an attractive nuisance creating a hazard to the health and safety of minors;
- (6) Produces urban blight adverse to the maintenance and continuing development of the city; and
- (7) Is a public nuisance.

(b) A junked vehicle, in accordance with the procedures for abatement and removal in Chapter 683 of the Texas Transportation Code and as defined ~~herein~~ therein, is declared to be a public nuisance subject to regulation.

Sec. 13-39. Definitions.

(a) *Antique vehicle* means a passenger car or truck that is at least twenty-five (25) years old.

(b) *Inoperable* means, due to mechanical failure, breakdown, or disrepair, cannot be started, driven, operated, steered, or stopped under its own power without causing damage to the vehicle.

(c) *Junked vehicle* is as defined in Chapter 683 of the Texas Transportation Code. ~~means a vehicle that is self-propelled, or any part thereof, which is in ordinary view and:~~

- (1) ~~Does not have lawfully attached to it:~~
 - a. ~~An unexpired license plate; or~~
 - b. ~~A valid motor vehicle inspection certificate; and~~

~~(2)Is:~~

~~a. Wrecked, dismantled or partially dismantled, or discarded; or~~

~~b. Inoperable and has remained inoperable for more than:~~

~~1. Forty eight (48) consecutive hours, if the vehicle is on public property or public right-of-way; or~~

~~2. Twenty (20) consecutive days, if the vehicle is on private property.~~

(d) *Motor vehicle collector* means a person who:

(1) Owns one (1) or more antique or special interest vehicles; and

(2) Acquires, collects, or disposes of an antique or special interest vehicle or part of an antique or special interest vehicle for personal use to restore and preserve an antique or special interest vehicle for historic interest.

(e) *Ordinary public view* means visible at any time of the year from any public right-of-way, public property, or from private property which is owned or occupied by a person other than the property owner or occupant of the property on which the vehicle is located.

(f) *Special interest vehicle* means a motor vehicle of any age that has not been changed from original manufacturer's specifications and, because of its historic interest, is being preserved by a hobbyist.

Sec. 13-40. Enforcement; notice.

(a) The procedures for abatement and removal of a junked vehicle must be administered by code enforcement officials employed by the ~~neighborhood services department~~ code enforcement division of the city, or other regularly salaried, full-time employees of the city that may be designated from time to time by the city manager, except that any authorized person may remove the nuisance.

(b) Persons authorized to administer the abatement and removal procedures may enter upon private property to examine a junked vehicle, obtain information to identify the junked vehicle, and to remove or direct the removal of the junked vehicle.

(c) Following investigation of a public nuisance, the notice procedures set out in this section must be followed for the abatement and removal of a junked vehicle from public or private property or a public right-of-way:

(1) A notice must be personally delivered, sent by certified mail with a five-day return requested, or delivered by the United States Postal Service with signature confirmation service to:

a. The last known registered owner of the nuisance;

b. Each lienholder of record of the nuisance; and

c. The owner or occupant of:

1. The property on which the nuisance is located; or

2. If the nuisance is located on a public right-of-way, the property adjacent to the right-of-way.

(2) The notice must state:

a. The nature of the public nuisance;

- b. That the nuisance must be abated and removed not later than the tenth day after the date on which the notice was personally delivered or mailed;
- c. Describe the right to request a hearing; and
- d. State that any request for a hearing must be made before the ten-day period expires.

(3) In addition to the notice required under subsection (c)(1) of this section, a code enforcement official, or other employee designated by the city manager, may securely affix to a junked vehicle, or part thereof, a visible, dated, and brightly colored notice that contains the information required in subsection (c)(2) of this section. The posting of the discretionary notice described in this subsection is not a condition or requirement precedent to any proceeding or action to abate a public nuisance, and a proceeding or action is not void, voidable, or in any way affected by a failure to affix the notice.

(4) If the post office address of the last known registered owner of the junked vehicle is unknown, a notice may be placed on the junked vehicle or, if the owner is located, personally delivered.

(5) If a notice is returned undelivered, action to abate the nuisance must be continued to a date not earlier than the 11th day after the date of the return.

Sec. 13-41. Hearings; relocation of junked vehicle.

(a) A person who receives notice of a public nuisance under subsection 13-40(c)(1) may request a hearing to determine whether a vehicle is a junked vehicle. Any request for a hearing must be made, in person or in writing, to the municipal court clerk not later than the tenth day after the notice was personally delivered or mailed.

(b) If requested in a timely manner, a municipal court judge shall hold a hearing to determine whether a vehicle, or part thereof, is a public nuisance.

(c) The hearing shall be held not earlier than the eleventh day after the date of service of the notice.

(d) At the hearing, the junked vehicle is presumed, unless demonstrated otherwise by the owner, to be inoperable.

(e) The municipal courts of the city may issue necessary orders to enforce the procedures for the abatement and removal of a public nuisance.

(f) An order requiring the removal of the nuisance must include, if the information is available at the location of the nuisance, ~~the vehicle's~~:

(1) For a motor vehicle, the vehicle's:

- ~~(1)~~ (a) Description;
- ~~(2)~~ (b) Vehicle Identification number; and
- ~~(2)~~ (c) License plate number.

(2) For an aircraft, the aircraft's:

- (a) Description; and

(b) Federal aircraft identification number as described by Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; and

(3) For a watercraft, the watercraft's:

(a) Description; and

(b) Identification number as set forth in the watercraft's certificate of number.

(g) The relocation of a junked vehicle that is a public nuisance to another location within the city after a proceeding for the abatement and removal of the public nuisance has commenced shall have no effect on the proceeding if the junked vehicle constitutes a public nuisance at the new location.

Sec. 13-42. Vehicles not to be reconstructed or made operable; disposal.

(a) A vehicle removed under the abatement and removal procedures set out in this division may not be reconstructed or made operable.

(b) Disposal of a junked vehicle shall be by removal to a scrapyard, a motor vehicle demolisher, or other suitable site operated by the city, as necessary to accomplish the purposes of this division, provided, that any such disposal shall be for scrap, demolition, or salvage only.

Sec. 13-43. Notice to Texas Department of Transportation.

(a) Following removal, a notice identifying the junked vehicle, or part of the vehicle, shall be given to the Texas Department of Transportation by ~~neighborhood services department code enforcement division~~ employees, or other employees designated by the city manager, not later than five (5) days after the date of removal.

(b) On receipt of a notice of removal of a watercraft under Sec. 13-43(a), the Texas Department of Transportation shall notify the Parks and Wildlife Department of the removal. On receipt of the notice from the Department of Transportation, the Parks and Wildlife Department shall immediately cancel the certificate of title issued for the watercraft.

Sec. 13-44. Inapplicability of division; no exemption.

(a) The procedures for the abatement and removal of a public nuisance may not apply to a vehicle or vehicle part:

(1) That is completely enclosed in a building in a lawful manner and is not visible from public or private property or public right-of-way; or

(2) That is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or junk yard, or that is an antique or special interest vehicle stored by a motor vehicle collector on the collector's property, if the vehicle or vehicle part and the outdoor storage area, if any, are:

a. Maintained in an orderly manner;

b. Not a health hazard; and

c. Screened from ordinary public view by appropriate means, including a fence, rapidly growing trees, shrubbery, or a form-fitting cover designed and manufactured specifically for vehicles.

(b) A junked vehicle, or part of a junked vehicle, covered by a form-fitting vehicle cover, is not exempt from the procedures for abatement and removal.

Sec. 13-45. Junked Vehicle Offense; penalty.

(a) A person commits an offense if that person maintains a public nuisance as described in this division regarding junked vehicles.

(b) An offense under this division is punishable by a fine not to exceed two hundred dollars (\$200.00).

(c) On conviction, the court shall order removal and abatement of the public nuisance.

(d) An offense under this division is subject to the penalty provisions of sections 1-6 and 1-6.1 of the Code.

Sec. 13-46. Lien on impounded property.

A lien for all costs incurred in the impounding, storing and advertising for sale of personal property pursuant to this division shall exist and inure to the benefit of the person actually impounding such property. Such lien shall be prior and superior to all other liens of every kind, save and except liens for ad valorem taxes, and the impounder may retain possession of such property until all costs are paid and may sell the same as provided in this division.

Sec. 13-47. Redemption of impounded property.

The owner or any person legally entitled to possession of any impounded personal property as provided for in this division may redeem the same by paying to the impounder, before sale, the impounding fee and any other actual expenses incurred by the impounder in impounding and keeping the impounded property, as determined by the fees set forth in section ~~13-49~~ 13-48.

Sec. 13-48. Fees for impounding, storage, etc.

Fees shall be charged and shall be paid to the impounder of the city, only if performed by the police division and in accordance with the fee schedule located in section 57-254.

Sec. 13-49. Disposition of proceeds of sale.

After deducting the fees to which the impounder or the city, as the case may be, is entitled pursuant to section ~~13-49~~ 13-48, such party shall hold the balance of the proceeds of such sale, if any, to pay the same to the owner of the property. If the owner fails to call for such proceeds within ninety (90) days, they shall belong to the impounder or the city, as the case may be.

Sec. 13-50. Sale of abandoned motor vehicles.

Notwithstanding any other provision, any motor vehicle impounded pursuant to any city ordinance or state law, shall be processed, disposed, auctioned and sold in accordance with the provisions of the Texas Abandoned Motor Vehicle Act.

Secs. 13-51—13-3000. Reserved.”

SECTION 3: The Corpus Christi Code, §13-3002 of Chapter 13, Article III, entitled “Vacant Buildings”, is amended by adding the following language that is underlined (added) and deleting the language that is stricken (~~deleted~~), in the definitions section as delineated below:

“CHAPTER 13 CODE ENFORCEMENT, HOUSING AND HOUSING PREMISES STANDARDS, AND NEIGHBORHOOD IMPROVEMENT

ARTICLE III. VACANT BUILDINGS

* * * * *

Sec. 13-3002. Definitions.

Unless otherwise expressly stated, the following words, terms, and phrases, when used in this article, have the meanings ascribed to them in this section, unless the context of their usage clearly indicates a different meaning:

* * * * *

Dangerous building means a building which is potentially hazardous to persons or property, including, but not limited to:

- a. A building that is in danger of partial or complete collapse.
- b. A building with any exterior parts that are loose or in danger of falling.
- c. A building with any parts, such as floors, porches, railings, stairs, ramps, balconies, or roofs, which are accessible and which are either collapsed, in danger of collapsing, or unable to support the weight of normally imposed loads.

Hearing Officer is the city officer, employee, or other person as so designated by the City Manager.

Owner means the owner of record in the county where the real property is situated; anyone identified as the owner on a vacant building plan and timetable form; the holder of an unrecorded contract for deed; a mortgagee or vendee in possession; a mortgagor or vendor in possession; and an assignee of rents, receiver, executor, trustee, lessee, or other person in possession or with the right to control of the premises or a portion of the premises. Any person who is included in this definition as an owner has joint and several obligation for compliance with the provisions of this

article. A tenant who does not have the right of possession or control of a portion of the building that is unoccupied is not an owner for the purposes of this article.

Properly maintained means taking measures to:

- (1) Prevent the physical deterioration of the building.
- (2) Prevent a decline in the appearance of the building.
- (3) Keep a building in a clean, safe, secure, and sanitary condition.
- (4) Prevent the building from becoming an attractive nuisance.

Property maintenance ordinance includes, but is not limited to, the following Code of Ordinances provisions:

- (1) Article II, Chapter 13. (~~Building & Housing Standards Code~~ Corpus Christi Property Maintenance Code)
- (2) Articles II, VI, VII, VIII, and IX, Chapter 14. (Technical Construction Codes, Excavations, Regulation of Fill Materials, Control of Aeolian Soils, and Control of Solid Waste at Construction Sites)
- (3) Article I, Chapter 18. (Fire Prevention Code)
- (4) Articles II, V, and VII, Chapter 21. (Collection Services, Business or Commercial Establishments, and Control of Refuse)
- (5) Article III, Chapter 23. (Unhealthful & Dangerous Conditions)
- (6) Article VI, Chapter 33. (Graffiti control)
- (7) Division 1, Article I, Chapter 49. (Relates to maintenance and duties related to streets, sidewalks, and street rights-of-way)
- (8) Articles XVI and XVII, Chapter 55. (Prohibition on Pollution of the Municipal Separate Sewer System (MS4) and Maintenance and Operation of Grease Interceptors and Oil/Sand Interceptors)

* * * * *

SECTION 4: Corpus Christi Code, §13-4001 et seq, Chapter 13, Article IV entitled “Downtown Vacant Buildings”, is repealed in its entirety, as delineated below:

“CHAPTER 13 CODE ENFORCEMENT, HOUSING AND HOUSING PREMISES STANDARDS, AND NEIGHBORHOOD IMPROVEMENT

ARTICLE IV. DOWNTOWN VACANT BUILDINGS

Secs.13-4001 – 13-1420 Reserved

Sec. 13-4001. Declaration of policy.

(a)~~The city council finds and declares that:~~

- (1)~~Downtown of Corpus Christi is a unique and distinct area of the city due to the prevalence of older, multi-story buildings constructed without setbacks from the street~~

rights-of-way, thereby creating a dense development posing increased risks from fire. The buildings often have common walls, or walls that abut, and the buildings are affected by the lack of maintenance of an adjoining building.

(2) Downtown Corpus Christi has the potential to be a dynamic economic center for the city, however, improperly maintained vacant buildings and lots inhibit the redevelopment of the downtown area.

(3) Downtown buildings that are vacant and unsecured attract vagrants, gang members, and criminals as prime locations to conduct illegal criminal activities.

(4) Buildings that are vacant and unsecured are extremely vulnerable to being set on fire by unauthorized persons.

(5) Buildings that are vacant and unsecured are a blight and cause deterioration and instability in downtown.

(6) Buildings that are vacant and unsecured pose serious threats to the public's health and safety.

(7) Abatement and rehabilitation of poorly maintained vacant downtown buildings is necessary.

(8) Vacant and unsecured buildings are declared to be public nuisances.

(b) The purpose of this article is to protect the public health, safety, and welfare of the city.

(c) This article:

(1) Determines the responsibilities of owners of vacant downtown buildings.

(2) Provides for administration, enforcement, and penalties.

Sec. 13-4002. Definitions.

Unless otherwise expressly stated, the following words, terms, and phrases, when used in this article, have the meanings ascribed to them in this section, unless the context of their usage clearly indicates a different meaning:

Administrator means the city's zoning and code enforcement administrator, or the administrator's designees.

Board when used as a verb means to cover an opening with lumber or panel of wood or other material.

Boarded building means a building on which any opening to the outside is covered with lumber or panels of wood or other material. The term does not include a building secured by normal measures.

Building means any structure or portion of a structure used or intended for supporting or sheltering any use or occupancy, and includes an enclosed building, open building, and partially open building as defined in section 1609.2, International Building Code.

Dangerous building means a building which is potentially hazardous to persons or property, including, but not limited to:

- (1) A building that is in danger of partial or complete collapse.
- (2) A building with any exterior parts that are loose or in danger of falling.
- (3) A building with any parts, such as floors, porches, railings, stairs, ramps, balconies, or roofs, which are accessible and which are either collapsed, in danger of collapsing, or unable to support the weight of normally imposed loads.

Downtown means that area bounded by Shoreline Drive, Park Street, Tanchua Street, Highway 181, Mesquite Street, and Fitzgerald Street.

Owner means the owner of record in the county where the real property is situated; anyone identified as the owner on a vacant building plan and timetable form; the holder of an unrecorded contract for deed; a mortgagee or vendee in possession; a mortgagor or vendor in possession; and an assignee of rents, receiver, executor, trustee, lessee, or other person in possession or with the right to control of the premises or a portion of the premises. Any person who is included in this definition as an owner has joint and several obligation for compliance with the provisions of this article. A tenant who does not have the right of possession or control of a portion of the building that is unoccupied is not an owner for the purposes of this article.

Properly maintained means taking measures to:

- (1) Prevent the physical deterioration of the building.
- (2) Prevent a decline in the appearance of the building, including keeping painted surfaces with a secure and intact coating and preserving signage without physical deterioration.
- (3) Keep a building in a clean, safe, secure, and sanitary condition, compliant with applicable technical codes and life safety codes.
- (4) Prevent the building from becoming an attractive nuisance.

Property maintenance ordinance includes, but is not limited to, the following Code of Ordinances provisions:

- (1) Article II, Chapter 13. (Building and Housing Standards Code)
- (2) Articles II, VI, VII, VIII, and IX, Chapter 14. (Technical Construction Codes, Excavations, Regulation of Fill Materials, Control of Aeolian Soils, and Control of Solid Waste at Construction Sites)
- (3) Article I, Chapter 18. (Fire Prevention Code)
- (4) Articles II, V, and VII, Chapter 21. (Collection Services, Business or Commercial Establishments, and Control of Refuse)
- (5) Article III, Chapter 23. (Unhealthful and Dangerous Conditions)
- (6) Article VI, Chapter 33. (Graffiti Control)

~~(7)Division 1, Article I, Chapter 49. (Relates to maintenance and duties related to streets, sidewalks, and street rights-of-way)~~

~~(8)Articles XVI and XVII, Chapter 55. (Prohibition on Pollution of the Municipal Separate Sewer System (MS4) and Maintenance and Operation of Grease Interceptors and Oil/Sand Interceptors)~~

~~Secure means to take measures to ensure that the interior of the building cannot be accessed by:~~

~~(1)Unauthorized persons without the use of tools or ladders.~~

~~(2)Birds and other animals through broken windows or other openings in the structure.~~

~~Secured by normal measures means the use of structural components of a building, including fixtures, such as doors, unbroken windows, locks, latches, electronic security systems, storm shutters, security shutters, and grills or bars installed at window and door openings, which were installed while the building was constructed or added to the building while the building was occupied and being used for lawful purposes.~~

~~Secured by other than normal measures means a building, other than the ground floor openings, secured by means other than those used in the design of a building or that are normally installed and utilized while a building is occupied and being used for lawful purposes. The term includes boarding any window or door opening, other than ground floor openings.~~

~~Unoccupied means not being used for a lawful occupancy authorized by the certificate of occupancy issued by the city's building official.~~

~~Unsecured means open to entry by unauthorized persons.~~

~~Vacant downtown building means a building located within the downtown area of which fifty-one (51) per cent or more of the floor space is unoccupied and has been the subject of two (2) or more documented violations of any city ordinance~~

Sec. 13-4003. Enforcement authority.

~~(a)The administrator administers this article.~~

~~(b)The administrator, the administrator's designees, and other code enforcement officials are authorized to enforce the provisions of this article.~~

~~(c)The administrator shall keep a file on all vacant buildings in the downtown area. The file may include any property-specific written statements from community organizations, other interested parties, or citizens regarding the history, problems, status, or blighting influence of the vacant downtown building.~~

Sec. 13-4004. Inspections.

~~(a)The administrator may inspect any premises in the downtown area for the purpose of enforcing and ensuring compliance with the provisions of this article.~~

~~(b)Upon the request of the administrator, an owner shall provide access to all interior portions of a vacant downtown building in order to permit a complete inspection.~~

Sec. 13-4005. Notice of vacant downtown building.

~~(a)Upon reasonable suspicion that a downtown building may be a vacant downtown building by a code enforcement official or receipt of a complaint about a downtown building, the administrator may cause an inspection of the property in order to determine if the building should be classified as a vacant downtown building.~~

~~(b)If the administrator determines that a building or portion of a building may be classified as a vacant downtown building under this article, the administrator:~~

~~(1)Shall attempt to contact the owner or an agent of the owner, identified by any sign posted on the property, by telephone or by electronic communication, such as by electronic mail or facsimile, and advise the owner or agent that it appears that the building is a vacant downtown building and that the following measures need to be taken by the owner:~~

~~a. File a vacant downtown building plan and timetable within seven (7) days,~~

~~b. Pay the registration fee required by section 13-4010~~

~~c. Take action to correct any observed code violations, and~~

~~d. Take immediate measures to temporarily secure the building from unauthorized entry and take measures to secure the building by normal or other than normal means within seven (7) days, as necessary, and~~

~~(2)Shall mail a notice to the owner, with a copy to any agent identified by any sign posted on the property, that advises the owner that it appears that the building is a vacant downtown building and that the following measures need to be taken by the owner:~~

~~a. File a vacant downtown building plan and timetable within seven (7) days,~~

~~b. Pay the registration fee required by section 13-4010~~

~~c. Take action to correct any observed code violations, and~~

~~d. Take immediate measures to temporarily secure the building from unauthorized entry and take measures to secure the building by normal or other than normal means within seven (7) days, as necessary, or~~

~~(3)May post notice on the building that it appears that the building is a vacant downtown building and that the following measures need to be taken by the owner:~~

~~a. File a vacant downtown building plan and timetable within seven (7) days,~~

~~b. Pay the registration fee required by section 13-4010~~

~~c. Take action to correct any observed code violations, and~~

~~d. Take immediate measures to temporarily secure the building from unauthorized entry and take measures to secure the building by normal or other than normal means within seven (7) days, as necessary, or~~

- ~~(4) May issue a citation or file a complaint in municipal court for any violations of this article or other applicable provisions of the Code of Ordinances.~~
- ~~(c) The notice under subsection (b)(2) of this section must comply with the requirements of Section 54.005, Texas Local Government Code.~~
- ~~(d) If the owner fails to immediately take measures to temporarily secure the building from unauthorized entry and abate the violation, the city may, without further notice, secure the premises and abate the observed violations. The owner is liable for the costs incurred by the city to secure the premises and abate the violation, including any administrative expenses, materials, and labor. If the owner does not reimburse the city for its expenses when billed, the administrator shall file a lien against the property for expenses incurred by the city.~~
- ~~(e) If the owner disputes the administrator's determination that the building should be classified as a vacant downtown building under this article, the owner shall file a written notice of appeal with the administrator within seven (7) days from receipt of the notice provided in this section. The administrator shall schedule a hearing before the hearing examiner to determine whether the building should be classified as a vacant downtown building under this article.~~

~~Sec. 13-4006. Vacant downtown building registration and plan and timetable.~~

- ~~(a) The owner of a vacant downtown building shall register the vacant downtown building and file a vacant downtown building plan and timetable with the administrator not later than seven (7) days after the owner receives verbal or written notice under subsection 13-4005(b). The administrator is authorized to:~~
- ~~(1) Suspend the processing of any citation or complaint for violation of this article.~~
 - ~~(2) Extend the period of time in which the owner of a vacant downtown building must secure the building by other than temporary measures.~~
- ~~(b) The vacant downtown building plan and timetable must be submitted on forms provided by the administrator and include the following information supplied by the owner:~~
- ~~(1) A description of the premises.~~
 - ~~(2) The names, addresses, and telephone numbers of all owners with a right of control over the property.~~
 - ~~(3) The names and addresses of all known lienholders and all other parties with an ownership interest in the building.~~
 - ~~(4) The name, address, and telephone number of the owner's property manager or agent, and whether the property manager or agent has the authority to independently act on the owner's behalf to repair or maintain the property.~~
 - ~~(5) The name and address of the owner, the name and address and contact information of a person authorized by the owner to make response to any emergency or alleged violation related to the vacant downtown building.~~
 - ~~(6) The period of time the building is expected to remain vacant.~~
 - ~~(7) If the owner plans on returning the building to a lawful occupancy and use, the estimated date for returning the building to a lawful occupancy and use.~~

~~(8)If the owner plans on demolishing the building, the date the building is scheduled for demolition.~~

~~(9)If the owner plans on rehabilitating or renovating the building, the dates the building rehabilitation or renovation is scheduled to commence and be completed.~~

~~(10)If the owner plans on retaining the building for investment purposes, the measures that will be taken to try to reduce any adverse impact on the property values of adjacent property from the retention of the vacant building for investment purposes.~~

~~(11)A plan for regular maintenance of the building during the period of vacancy with certification that the building is compliant with all applicable codes.~~

~~(12)Identify measures the owner will employ to secure the building to prevent access by trespassers, including but not limited to:~~

~~a. Installation and maintenance of adequate windows and doors for first floor,~~

~~b. Installation and maintenance of security shutters, grills, and bars for windows and doors for first floor,~~

~~c. Installation and maintenance of adequate locks for windows and doors for first floor,~~

~~d. Installation, operation, and monitoring of an electronic security system, which monitors windows and doors by glass breakage or motion sensors, and a method of responding to alarms from the electronic security system, other than sole reliance on the city's police department,~~

~~e. Installation of boards on windows and doors above ground floor,~~

~~f. Employment of watchmen, who are licensed peace officers, public security officers, commissioned security officers, or noncommissioned security officers, and~~

~~g. Any other method approved by the administrator.~~

~~(13)Measures the owner will employ to monitor and inspect the property on a weekly basis. The weekly monitoring and inspection must be performed by the owner, property manager, or an agent of the owner with full authority to maintain and make repairs to the property on a weekly basis.~~

~~(14)Locations of the warning signs required by subsections 13-4008(b).~~

~~(15)Any reasonable related additional information required by the administrator.~~

~~(c)The plan and timetable submitted by the owner must be approved by the administrator, which approval may not be unreasonably withheld. The administrator must approve or disapprove the plan and timetable within seven (7) working days of receipt from the owner. Any plan disapproved must be resubmitted within seven (7) days of receipt of the notice of disapproval.~~

~~(d)Any repairs, improvements, or alterations to the vacant downtown building or on the property must comply with all applicable City of Corpus Christi technical construction codes.~~

~~(e)The owner shall notify the administrator of any changes in information supplied as part of the vacant downtown building plan and timetable within seven (7) days of the change. If the~~

plan or timetable for the vacant downtown building is amended in any way, the amendments must be approved by the administrator.

(f) The authority of an agent to maintain and make repairs to property for the owner must be granted in writing through a contract or power of attorney. The contract or power of attorney must authorize the agent to receive and accept notices from the city on behalf of the owner.

(g) The administrator may determine that a building whose owner has filed a vacant downtown building plan and timetable or that has been the subject of an abatement action by the city under this section is no longer a vacant downtown building, if:

(1) The owner has secured the building by the means specified in the vacant downtown building plan and timetable approved by the administrator, and

(2) The administrator has inspected the building and determined the building is:

a. Properly secured,

b. There is no solid waste within the building or on the premises,

c. All of the vegetation on the premises has been properly trimmed,

d. There is no graffiti on the inside or outside of the building, and

e. Fifty (50) per cent or more of the floor space of the building is being occupied by person(s) authorized by the owner.

Sec. 13-4007. Duty to clean and secure vacant downtown building and premises.

(a) The owner of a vacant downtown building shall remove any solid waste from the interior of the building.

(b) The owner of a vacant downtown building shall remove any solid waste or high weeds and brush from the premises on which the vacant downtown building is located.

(c) The owner shall keep the premises on which the vacant downtown building is located and the building properly maintained until the building is returned to an authorized occupancy, demolished, or sold.

(d) The owner of a vacant downtown building shall lock or secure all doors, windows, and other openings to the vacant downtown building.

(e) The owner shall keep a vacant downtown building secured, safe, and properly maintained.

(f) For floors other than the ground floor of a downtown vacant building, if securing a vacant downtown building by normal measures fails to keep the vacant building secure, the owner must use other than normal measures to secure the building, including boarding the vacant downtown building.

(g) For a period not to exceed seven (7) days, the owner may install and maintain boards on windows and doors on the ground floor for emergency repairs during that time required to order and replace the window or door with appropriate material.

(h) Failure of the owner to secure and maintain the premises that results in abatement by the city is grounds for revocation of the approved vacant downtown building plan and timetable, and the owner is subject to any applicable penalties.

Sec. 13-4008. Standards for boarding for other than the ground floor of a vacant downtown building.

(a) Except as provided in subsection (c) of this section, if the owner is unable to secure all floors other than the ground floor of a vacant building by normal means, the owner shall board such floors of the vacant building under the following specifications and requirements:

- (1) All unsecured doorways, windows, or other exterior openings must be covered by wooden structural panels. However, the glazed portion of an otherwise structurally sound door may be replaced or covered by a wooden panel.
- (2) Wooden structural panels may be installed on the exterior or interior of the opening.
- (3) The wooden structural panels installed on the exterior of a building must be flat, square, and level, and in a manner accepted as good workmanship. The administrator has the sole discretion to determine if the work was performed in an acceptable manner.
- (4) Required materials. The wooden structural panels must be used to cover doorways, windows, or other exterior openings. The wooden structural panels must be composed of CDX exterior grade plywood or oriented strand board ("OSB") with a minimum one-half ($\frac{1}{2}$) inch nominal (seven sixteenths ($\frac{7}{16}$) inch actual) thickness. The administrator may approve the use of alternate materials.
- (5) Required fasteners and hardware. All metal fasteners and hardware must be made of stainless steel, galvanized steel, or cadmium plated steel.
- (6) Required coatings. All exterior materials used to board a vacant building must be painted with a minimum of two (2) coats of exterior grade latex paint that is black, white, the predominant color of the building, or a color approved by the administrator.
- (7) Approved methods for installing exterior wooden structural panels.

a. Wooden structures with wood trim surrounding window and door openings.

1. If there is a sill that extends beyond the face of the building, the bottom of the wooden structural panels must be flush with the sill and the wooden structural panels must extend at least four (4) inches on the top and on each side of the opening.
2. If there is no sill or the sill does not extend beyond the face of the building, the wooden structural panels must extend at least four (4) inches on the top, bottom, and on each side of the opening.
3. The wooden structural panels must be attached to the building and window by wood screws, lag bolts, or carriage bolts. A washer must be installed between the head of the screw or bolt and the wooden structural panel. If carriage bolts are used that extend into the interior of the building, washers must be used between the nut and the interior surface.
4. Wooden screws and lag bolts must be secured to the structural framing member surrounding the opening.
5. The structural wooden panels must be attached under the following table:

Fastener Type	Fastener Spacing		
	Panel span ≤ 4 foot	4 foot < panel span ≤ 6 foot	≤ 6 foot < panel span ≤ 8 foot
2½" #6 Wood screws	16"	12"	9"
2½" #8 Wood screws	16"	16"	12"

6. The fasteners must be installed at opposing ends of the wooden structural panels.

b. Masonry structures or structures with brick facades with wood trim surrounding window and door openings:

1. If there is a sill that extends beyond the face of the building, the bottom of the wooden structural panels must be flush with the sill and the wooden structural panels must:

A. Cover the window or door opening.

B. Be flush with the sill.

C. Either be set into or be flush with masonry wall or brick facade on the top and both sides of the opening.

2. If there is no sill or the sill does not extend beyond the face of the building, the wooden structural panels must be either set into or be flush with the masonry wall or brick facade on the top, bottom, and on each side of the window opening.

3. The wooden structural panels must be attached to the building by wood screws, lag bolts, or carriage bolts. A washer must be installed between the head of the screw or bolt and the wooden structural panel. If carriage bolts are used that extend into the interior of the building, washers must be used between the nut and the interior surface.

4. Wooden screws and lag bolts must be secured to the structural framing member surrounding the opening.

5. The structural wooden panels must be attached under the following table:

Fastener Type	Fastener Spacing		
	Panel span	4 foot < panel span	≤ 6 foot < panel

	≤ 4 foot	≤ 6 foot	span ≤ 8 foot
2½" #6 Wood screws	16"	12"	9"
2½" #8 Wood screws	16"	16"	12"

6. The fasteners must be installed at opposing ends of the wooden structural panels.

c. Masonry structures or structures with brick facades with metal trim surrounding window and door openings:

1. If there is a sill that extends beyond the face of the building, the bottom of the wooden structural panels must be flush with the sill and the wooden structural panels must:

A. Cover the window or door opening.

B. Be flush with the sill.

C. Either be set into or be flush with masonry wall or brick facade on the top and both sides of the opening.

2. If there is no sill or the sill does not extend beyond the face of the building, the wooden structural panels must be either set into or flush with the masonry wall or brick facade on the top, bottom, and on each side of the opening.

3. The wooden structural panels must be attached to the metal trim by metal screws, lag bolts, or carriage bolts. A washer must be installed between the head of the screw or bolt and the wooden structural panel. If carriage bolts are used that extend into the interior of the building, washers must be used between the nut and the interior surface.

4. Metal screws and lag bolts must be secured to the metal structure used to frame the opening.

5. The structural wooden panels must be attached under the following table:

Fastener Type	Fastener Spacing		
	Panel span ≤ 4 foot	4 foot < panel span ≤ 6 foot	≤ 6 foot < panel span ≤ 8 foot

2½" #6 Wood screws	16"	12"	9"
2½" #8 Wood screws	16"	16"	12"

6. The fasteners must be installed at opposing ends of the wooden structural panels.

d. Masonry structures or structures with brick facades with no trim surrounding windows.

1. A wooden frame constructed of with two-inch by four-inch nominal dimensional lumber must be installed around the perimeter of the opening.

2. The wooden frame must be secured to the masonry wall or brick facade with lag bolts and vibration resistant anchors having a minimum ultimate withdrawal capacity of four hundred ninety (490) pounds.

3. The wooden structural panels must be attached to the wooden frame using wood screws.

4. The structural wooden panels must be attached under the following table:

Fastener Type	Fastener Spacing		
	Panel span ≤ 4 foot	4 foot < panel span ≤ 6 foot	≤ 6 foot < panel span ≤ 8 foot
2½" #6 Wood screws	16"	12"	9"
2½" #8 Wood screws	16"	16"	12"

5. The fasteners must be installed at opposing ends of the wooden structural panels.

e. The administrator may approve the use of blocks, clips, or other special hardware items or alternate methods for installing wooden structural panels.

(8) All broken glass and any other loose material must be removed from the opening before the wooden structural panels are installed.

(9) Exterior access to floor areas above the first floor, such as fire escapes and ladders, must be either:

a. Removed up to the second floor level or to a height of thirteen (13) feet above the ground, whichever is lesser.

b. Secured to the satisfaction of the administrator.

(10) Fascia signs, overhanging signs, roof signs, and all other appurtenances, such as sun visors or awnings must be removed if they are in a dangerous condition or could create such a condition.

(11) All loose or defective materials, trim, or structural elements on the exterior of the building must be removed.

(12) Any condition which may become a hazard or danger to the public must be corrected.

(b) The owner of an unoccupied boarded vacant downtown building shall post the premises.

(1) One (1) or more signs must be posted at or near each entrance to the building and on fences or walls, as appropriate.

(2) The signs must remain posted until the building is either lawfully occupied or demolished.

(3) The signs must contain the following information:

DO NOT ENTER

It is a misdemeanor to enter
or occupy this building
or premises or to
remove or deface this notice.

Trespassers will be prosecuted.

(4) The lettering of the sign must be at least a forty-eight point font type size.

(c) Due to unique architectural features, instead of boarding a building in the manner specified by subsection (a) of this section, the administrator may allow the owner to secure the vacant downtown building in a manner that adequately prevents unauthorized entry or vandalism.

Sec. 13-4009. Painting exterior panels on boarded buildings.

When an owner of a vacant downtown building boards up a building, the owner shall apply at least two (2) coats of exterior paint to the exterior panels installed on all openings, windows, and doors. The coat of exterior paint must be black, white, the predominant color of the building, or a color approved by the administrator.

Sec. 13-4010. Registration and inspection fees for vacant downtown buildings

The owner of each vacant downtown building shall pay to the administrator an initial vacant downtown registration fee of one thousand dollars (\$1,000.00), an annual re-registration fee of one thousand dollars (\$1,000.00), and an inspection fee of four hundred fifty dollars (\$450.00) every third month during each year the building is required to be

registered. The registration fee and the re-registration fees include the cost of an inspection. The registration and inspections fees are transferable to a subsequent owner of the building and/or premises.

~~Sec. 13-4011. Inspection of vacant downtown buildings.~~

~~(a)The administrator shall provide for the inspection of each vacant downtown building not less than once every three (3) months by code enforcement personnel and for the inspection of each vacant downtown building not less than annually by personnel from the building official and the fire department.~~

~~(b)The inspection shall be conducted to determine compliance with this article and all applicable codes.~~

~~(c)The results of the inspection shall be provided to the owner of the vacant downtown building and the person designated by the owner to make response to any emergency or alleged violation related to the vacant downtown building.~~

~~(d)The administrator may periodically reinspect vacant downtown buildings to ensure compliance with the provisions of this article.~~

~~Sec. 13-4012. Watchman required.~~

~~(a)If boarding, the use of electronic monitoring systems, or the use of other methods fails to keep unauthorized persons from entering an unoccupied vacant downtown building, upon direction by the administrator, the owner shall have a watchman on duty upon the premises every day continuously between the hours of 4:00 p.m. and 8:00 a.m.~~

~~(b)The watchman must remain on duty daily during the required hours until the building is either legally occupied, demolished, or sold.~~

~~Sec. 13-4013. Entry or interference with notice prohibited.~~

~~(a)No person may enter or occupy any building that has been posted under subsections 13-4008(b) except to repair or demolish the building under proper permit or for a purpose authorized by the owner, or as allowed under subsection 13-4005(b).~~

~~(b)~~

~~No person may remove or deface any notice that has been posted under subsections 13-4008(b) until the required repairs or demolition have been completed or a certificate of occupancy has been issued by the building official.~~

~~Sec. 13-4014. Reinspection.~~

~~(a)If there is probable cause to believe that a code violation may be present or occurring, the administrator may periodically reinspect vacant buildings to ensure compliance with the provisions of this article.~~

~~(b)The administrator shall assess a reinspection fee of four hundred fifty dollars (\$450.00) against the owner of a vacant downtown building for each unscheduled reinspection of the building as is reasonably necessary to determine compliance with the standards and procedures in this article.~~

~~Sec. 13-4015. Notification.~~

~~Once every six (6) months the administrator shall send to the city council a list of all vacant downtown buildings that have become known to the administrator during the preceding six (6) months.~~

~~Sec. 13-4016. Abatement expenses of city.~~

~~The administrator shall, after completing the abatement, maintain a record of the costs incurred or expended by the city to abate the nuisance, including:~~

- ~~(1) The costs of providing notice to the owner and lienholder, including time spent researching the identity of the owner and lienholder, preparing the notice, postage, and publication costs.~~
- ~~(2) Personnel costs involved with inspecting the property.~~
- ~~(3) Personnel costs involved in abating the nuisance by city employees.~~
- ~~(4) Prorated costs of the use of any city vehicles used to inspect the property.~~
- ~~(5) Prorated costs of the use of any city vehicles or equipment used to abate the nuisance.~~
- ~~(6) Costs of any materials or supplies purchased or furnished by city.~~
- ~~(7) An overhead charge of twenty five (25) per cent of the total expenses incurred for administration for each abatement action.~~
- ~~(8) Costs of any contracted services, including the costs of materials, supplies, and labor provided by the city's contractor.~~

~~Sec. 13-4017. Continuous abatement authority.~~

~~If a vacant downtown building or premises surrounding the building previously abated by the owner or the administrator under a notice and order to abate again is in violation of the same provision of city code within one (1) year of the notice and order to abate, and the administrator has not been informed in writing by the owner of an ownership change, the administrator may, without further notice to the owner, proceed to abate the violation and recover costs as provided for in this article.~~

~~Sec. 13-4018. Continuous public nuisances.~~

- ~~(a) A vacant downtown building may be declared a continuous public nuisance by the administrator if the building, which was secured by the owner following a notice and order to abate or secured by the administrator, continues to be in violation of city codes on a periodic basis, and the administrator is required to either issue additional notice and order to abate to the owner or abate the violation through a city abatement action.~~
- ~~(b) The administrator may seek demolition of a vacant downtown building that is a continuous public nuisance by seeking a court order or following any of the administrative abatement procedures found in this chapter, which affords the owner due process, including notice and a hearing.~~

~~Sec. 13-4019. Alternative procedures.~~

~~Nothing in this article may be deemed to abolish or impair existing authority or remedies of the city.~~

~~Sec. 13-4020. Penalties.~~

~~(a) Any person violating any provision of this article may be punished by a fine not to exceed two thousand dollars (\$2,000.00).~~

~~(b) Any person convicted of a subsequent violation of this article may be fined not less than five hundred dollars (\$500.00) nor more than two thousand dollars (\$2,000.00).~~

~~(c) A culpable mental state of recklessness is required for an offense under this article.~~

~~(d) A violation of this article is a violation of a rule, ordinance, or police regulation that governs fire safety, or public health and sanitation, including illegal dumping.~~

~~(e) Each day any violation of this article continues constitutes a separate offense.~~

SECTION 5: As Ordinance No. 12826 adopted in 1975 regarding fire breaks was never incorporated into the City Code no City Code ordinance section number was assigned and therefore none is provided; and as a uniform and updated standard regarding fire breaks is being incorporated into the Corpus Christi Property Maintenance Code, Ordinance No. 12826 is repealed in its entirety, as delineated below.

~~“SECTION 1. No person owning or having charge or control of real property shall allow to exist thereon any weeds or vegetation, standing or otherwise, dead trees, dead branches on living trees, or any hazardous wastes or refuse of any nature which would constitute a fire hazard or contribute to the spread of fire.~~

~~SECTION 2.~~

~~A. For the purpose of this ordinance “structure” means anything constructed or erected which requires location on the ground or is attached to something having a location on the ground but not including fences, advertising signs, billboards, poster boards or water storage facilities.~~

~~B. When the Fire Chief or his designated representative determines that brush, grass or weeds existing on any real property constitutes a significant fire hazard to person or property, he shall require that:~~

~~(1) When a structure exists on the property adjacent to the property containing brush, grass or weeds and is within 250 feet of the common property line, a fire break shall be maintained on any portion of the property line within 250 feet of the structure. The fire break shall extend a minimum of 1090 feet along the common property line on either side of a point nearest the structure or the entire length of the common property line if it is less than 200 feet in length. “Fire break,” as used in paragraph (1) hereof, means a 50-foot wide strip of land surface on which all brush, grass or weeds are maintained at a height of not more than 24 inches above the ground, and all branching growth and leafy foliage 4 or less feet above the ground has been removed.~~

~~(2) A fire break be maintained along the property line adjacent to the public right of way. As used in this paragraph (2), “fire break” means~~

~~a 20-foot wide strip of land surface on which all brush, grass or weeds are maintained at a height of not more than 24 inches above the ground nor less than 3 inches above the ground, and all branching growth and leafy foliage 5 or less feet above the ground has been removed.~~

~~C. Fire breaks shall not be required on a tract of real property or any portion thereof which is used exclusively for crop cultivation or as a nursery area.~~

~~D. When the Fire Chief or his designated representative determines that the requirements of Section 2, subsection B, do not provide adequate fire protection for the safety of persons or property, he may require more extensive and intensive fire breaks.~~

~~E. In determining whether or not a fire hazard exists and the degree of the fire hazard under Section 2, sub-sections B and D, the Fire Chief or his designated representative shall consider factors such as, but not limited to, the following:~~

~~(1) The extent and density of brush, grass or weeds on property in question.~~

~~(2) The character and density of development on adjacent property. Distance of structure on adjacent property from the brush, grass or weeds.~~

~~(4) The width, character and use of any public right of way involved.~~

~~**SECTION 3.** Any hazardous condition allowed to remain in violation of this ordinance shall be deemed a public nuisance and upon failure by the person owning or having charge or control of the property to abate the same within 30 days after being notified, the Fire Chief or his designated representative may enter upon the property and remove or eliminate the nuisance. The Fire Chief or his designated representative shall keep an itemized written account of the cost of abatement on each separate parcel of land where the work is done. The cost of abatement on each parcel of land shall constitute a special assessment against that parcel and after the assessment is made and been confirmed by the Director of Finance or his designated representative, it shall become a lien on the premises. The enforcement of said lien shall comply with Article 4436, V.A.C.S., relating to public health.~~

~~**SECTION 4.** As an alternative method for the collection of the cost of abatement, the City may maintain an action at law for in equity thereon against the owner of the premises upon which a nuisance was maintained, in any court of competent jurisdiction."~~

SECTION 6: The City Manager, or his designee, is authorized to execute a licensing agreement with the International Code Council, for copyright use of the International Property Maintenance Code. As the Corpus Christi Property Maintenance Code will contain substantial copyrighted material from the 2009 International Property Maintenance Code which is copyrighted work owned by the International Code Council.

SECTION 7: If for any reason, any section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section,

paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word, or provision hereof be given full force and effect for its purpose.

SECTION 8: A violation of the Corpus Christi Property Maintenance Code or the regulations implemented under the Corpus Christi Property Maintenance Code constitutes a strict liability offense in accordance with Corpus Christi Property Maintenance Code Section 106.3(a) and any violation is punishable by a fine not to exceed \$500.00, the amount authorized by Section 12.23 of the Texas Penal Code and Section 1-6 of the Corpus Christi Code of Ordinance.

SECTION 9: Publication shall be made in the official publication of the City of Corpus Christi, as required by the City Charter of the City of Corpus Christi.

SECTION 10: This ordinance takes effect after official publication.

SECTION 11: The changes in property maintenance regulations made by the Corpus Christi Property Maintenance Code apply only to violations occurring on or after the effective date of the Corpus Christi Property Maintenance Code. Any violations occurring before the effective date of the Corpus Christi Property Maintenance Code are governed by the property maintenance regulations in effect at the time the violation occurred, and the former regulations are continued in effect for that purpose. For purposes of this section, a violation occurred before the effective date of this ordinance if any part of the violation occurred before that date.

That the foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2015, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

That the foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 2015, by the following vote:

Nelda Martinez	_____	Brian Rosas	_____
Rudy Garza	_____	Lucy Rubio	_____
Chad Magill	_____	Mark Scott	_____
Colleen McIntyre	_____	Carolyn Vaughn	_____
Lillian Riojas	_____		

PASSED AND APPROVED, this the _____ day of _____, _____.

ATTEST:

Rebecca Huerta
City Secretary

Nelda Martinez
Mayor