

**Floor Amendments to Ordinance to adopt the  
Corpus Christi Property Maintenance Code;**

**The following sections will be added to the Ordinance to adopt the Corpus Christi Property Maintenance Code:**

**SECTION 12:** Section 101.5 shall be added to the Corpus Christi Property Maintenance Code to read as follows:

**101.5 Non-discrimination.** A Code Enforcement initiated action shall not be based on an owner's or occupant's race, color, sex, religion, age, disability, or national origin.

**SECTION 13:** Section 104.3 of the Corpus Christi Property Maintenance Code shall read as follows:

**104.3 Right of entry.**

(a) Where it is necessary to make an inspection to enforce the provisions of this Property Maintenance Code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this Property Maintenance Code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this Property Maintenance Code, subject to legal restrictions. ~~provided that if~~ If such structure or premises is occupied the code official shall present credentials to the owner, agent, occupant or person in charge of the property and request entry.

(b) 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.

(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 code official shall have the same power of inspection as aforementioned, including the right of inspections without requesting permission of the owner or other person in charge, and if found to be in violation of this Property Maintenance 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) If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.

**SECTION 14:** Section 106.3 of the Corpus Christi Property Maintenance Code shall read as follows:

**106.3 Prosecution of violation.**

(a) Any ~~person in conflict with or in violation of any of the provisions of this Property Maintenance Code or any~~ person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor and the violation shall be deemed a strict liability offense.

(b) If the provisions of this Property Maintenance Code are violated or there is failure to comply therewith, or if the notice of violation is not complied with, the code official may institute the appropriate proceeding at law or in equity to restrain, correct or abate the violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Property Maintenance Code or of the order or direction made under this Property Maintenance Code.

**SECTION 15:** Sections 107.2 & §107.3 of the Corpus Christi Property Maintenance Code shall read as follows:

**107.2 Form.** Whenever any violation of this Code, generally or specifically defined in this Code, shall exist within the city, the code officer shall notify, in writing, the owner or occupant of the premises whereon such violation exists, and order such owner or occupant to abate or remedy the violation described in such notice, within such time as may be specified within the order.

Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a legal description of the real property sufficient for identification. This does not require a legal description.
3. Include a statement of the violation or violations and why notice is being issued.
4. Include a correction order allowing a reasonable amount of time to make the repairs and improvements required to bring the premises into compliance with provisions of this code.
5. Inform property owner of the name and phone number of the code official or designee.

**Commentary:** For Form of Notice refer to City Code §13-20 et seq.

**107.3 Method of service.**

Such notice shall be deemed to be properly delivered if a copy thereof is:

1. Delivered Personally;
2. Sent by first class mail, to the owner of record at his address as it appears on the Nueces County Appraisal District records; or
3. Posted in a conspicuous place in or about the structure.

When a notice is mailed in accordance with this section to a property owner, lienholder, mortgagee, or registered agent and the United States Postal Service

returns the notice as “refused” or “unclaimed,” the validity of the notice is not affected, and the notice is considered delivered.

~~**Commentary:** For Method of Service refer to City Code §13-20 et seq.——~~

**SECTION 16:** Section 404.5 of the Corpus Christi Property Maintenance Code shall read as follows:

404.5 Overcrowding. The number of persons occupying a dwelling unit shall not create conditions that, in the opinion of the code official, endanger the life, health, safety or welfare of the occupants. ~~The max floor area allowance per occupant in a residential use is 200 sf per occupant.~~ The maximum occupancy level of a residential dwelling is one (1) occupant per one-hundred fifty (150) square feet of habitable floor area.