

**ORDINANCE NO 2017-07**

**AN ORDINANCE OF THE CITY OF UVALDE AMENDING THE 2015 EDITION OF THE *INTERNATIONAL PROPERTY MAINTENANCE CODE*, CHAPTER 15.76, PROPERTY MAINTENANCE CODE ADOPTED, TITLE 15, BUILDINGS AND CONSTRUCTION, UVALDE CODE OF ORDINANCES; PROVIDING FOR CONFLICTING ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING AN EFFECTIVE DATE, SAVINGS, AND OPEN MEETINGS CLAUSES; AND PROVIDING FOR RELATED MATTERS.**

**Whereas**, the City of Uvalde finds and determines that, as provided in the property maintenance code, trash litter, junked vehicles, mobile homes and boats, high vegetation, abandoned personal property, and abandoned or dangerous structures are detrimental to the City of Uvalde, and

**Whereas**, the City of Uvalde finds and determines that further clarification is needed in defining property owners' responsibilities,

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

**Section 1. Findings of Fact.** The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact.

**Section 2. Amendment of Chapter 15.76.010 Property Maintenance Code Adopted.** The definition of premises is amended to read as follows:

**PREMISES.** A lot, plot or parcel of land, easement or public way to the curb or pavement when no curb is present and to the centerline of adjacent alleys, including any structures thereon.

**Section 3. Conflicting Ordinances.** All ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this Ordinance and any other code or ordinance of the City, the terms and provisions of this Ordinance shall govern.

**Section 4. Penalty Clause.** Any person who shall violate any of the provisions of this ordinance, or shall fail to comply therewith, or with any of the requirements thereof, within the City limits shall be deemed guilty of an offense and shall be liable for a fine not to exceed the sum set out in Section 1.12.010 of this Code. Each day the violation exists shall constitute a separate offense. Proof of a culpable mental state shall not be required to establish a violation of this ordinance. Such penalty shall be in addition to all the other remedies provided herein.

**Section 5. Savings Clause.** All rights and remedies of the City of Uvalde are expressly saved as to any and all violations of the provisions of any ordinances affecting property maintenance which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**Section 6. Effective Date.** This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Tex. Loc. Gov't. Code and the City Charter.

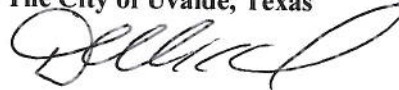
**Section 7. Severability.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence,

paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation into this Ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

**Section 11. Open Meetings.** It is hereby officially found and determined that the meeting at which this Ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on this the 8 day of August, 2017.

The City of Uvalde, Texas



Don McLaughlin, Jr., Mayor

ATTEST:



Sorayda Sanchez, City Secretary