

ORDINANCE NO. 2016-08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALLSVILLE, TEXAS, ADOPTING AN ENGINEERING CODE, PROVIDING A PENALTY BY FINE FOR VIOLATION, PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Hallsville, Texas, a Type A General Law municipality, has the authority to adopt ordinances, acts, laws, and/or regulations, not inconsistent with Texas state law, which are found to be necessary for the government, interest, welfare, and/or good order of the municipality as a body politic pursuant to *Texas Local Government Code* §51.012 and other applicable provisions of Texas law, and

WHEREAS, the City Council finds and determines that the public interest, welfare, and good order of the municipality as a body politic is served, in part by avoiding improper construction and repairs of structures creating a hazard to the health of City citizens, and by prescribing regulations for the construction, alteration, removal, location, and maintenance of all buildings and structures within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HALLSVILLE, TEXAS:

- a) **Engineering Code.** The City hereby adopts by reference for the purpose of partially regulating (in addition to all other codes previously or in future adopted by the City which shall continue to be in full force) the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that certain code known as the Engineer Code Compliance Report including Manual J, 2015 edition (and such subsequent codes, amendments and supplements thereof). One copy of said code shall be on file at City Hall

and the same is hereby adopted and incorporated as fully as if set out at length herein. From the effective date of this ordinance as defined below forward, the provisions thereof are controlling within the limits of the City of Hallsville.

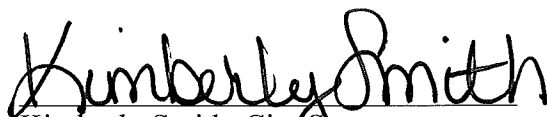
- b) **Violation.** Any violation of this ordinance shall subject a person, firm, corporation, or other entity, excluding the city, violating the terms hereof, to a penalty of \$500.00 per violation. Each day that work is begun or continued in violation of the provisions of this ordinance, shall constitute a separate violation hereof.
- c) **General Provisions.** If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance is hereafter determined to be invalid or violative of the law of the State of Texas or the Constitution of the United State by a court of appropriate jurisdiction, such finding of invalidity shall affect the continued enforcement only of the provision or provisions so determined to be invalid, it being the intent of the City Council of the City of Hallsville that all other terms and provisions of this ordinance not affected thereby shall remain in full force and effect.
- d) **Effective date.** The provisions of this ordinance are effective as of the date of adoption of this ordinance, or upon the date that the publication requirements of *Texas Local Government Code* § 52.011 are met, whichever is later.

PASSED AND APPROVED by an affirmative vote of the members of the City Council is the

16th day of August, 2016.


Steve Eitelman, Mayor

ATTEST:


Kimberly Smith, City Secretary