

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 26-16

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 21, BUILDING REGULATIONS, ARTICLE 21.01, GENERAL REGULATIONS, DIVISION 2. "ADMINISTRATIVE PROVISIONS", BY REPEALING SECTION 21.01.059, "REPAIR, DEMOLITION OR REMOVAL OF DANGEROUS BUILDINGS", TO REPEALING THE PROVISIONS WHICH CONFLICT WITH ARTICLE 21.03, CONCERNING DANGEROUS AND SUBSTANDARD BUILDINGS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a review of the City's ordinances applicable to Dangerous and Substandard Buildings revealed conflicting provisions; and

WHEREAS, the Code of Ordinances was amended in 2012 to include Article 21.03, which provides procedural guidelines concerning dangerous and substandard buildings in accordance with common law and statutory regulations; and

WHEREAS, Section 21.01.059, which existed prior to Article 21.03, conflicts with Article 21.03 of the Code of Ordinances; and

WHEREAS, it is the desire of the City Council to repeal Section 21.01.059 to ensure that the procedure outlined in Article 21.03 is controlling;

WHEREAS, based on the foregoing, the City Council of the City of Seagoville, Texas herein amends the Code of Ordinances by amending Article 21.01, Division 2. "Administrative Provisions", by repealing Section 21.01.059, as provided herein.

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

SECTION 1. That the Code of Ordinances of the City of Seagoville, Texas be, and the same is, hereby amended by amending CHAPTER 21, BUILDING REGULATIONS, ARTICLE 21.01, GENERAL PROVISIONS, Division 2. "Administrative Provisions," Section 21.01.059 by repealing the provision authorizing the Board of Adjustments to make a determination of whether a building is dangerous or substandard, which shall read as follows:

"CHAPTER 21. BUILDING REGULATIONS

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ARTICLE 21.01 GENERAL PROVISIONS

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DIVISION 2. Administrative Provisions

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Sec. 21.01.059 Reserved”

SECTION 2. If any section, article paragraph, sentence, clause, phrase or word in this ordinance, or application thereto any persons or circumstances is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance; and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 3. That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby amended, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. This Ordinance shall become effective from and after its date of passage in accordance with law.

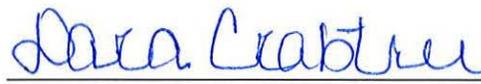
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SEAGOVILLE, TEXAS THIS 15th day of AUGUST, 2016.

APPROVED:



MAYOR

ATTEST:



CITY SECRETARY



APPROVED AS TO FORM:



CITY ATTORNEY