



Denton Property Maintenance Code: Proposed Changes

DATE: July 11, 2024

ID#HBS24-008

COMMUNITY IMPROVEMENT SERVICES



COMMUNITY SERVICES

DPMC REVISION OBJECTIVE

- To enhance and update Denton's Property Maintenance Code ([Chapter 17](#)), ensuring it meets the community's needs and aligns with current standards.
- Community Improvement Services has analyzed the existing ordinance in comparison with the International Property Maintenance Code 2021, relevant Texas State Statutes, and norms from other local cities. This comprehensive review, bolstered by community feedback, serves as the basis for the proposed revisions.

PROPOSED REVISIONS

- Sections suggested for **deletion**.
 - 17-21. – Odors.
- Sections with **minor/administrative changes**.
 - 17-2. – Definitions.
 - 17-3. – Enforcement.
 - 17-40. – Vegetation.
 - 17-80. – Maintenance of Perimeter Fences.
- Sections with **substantial revisions**
 - 17-181. – Dangerous Buildings.

DELETIONS

▪ **Sec. 17-21. – Odor.**

- **WHAT:** Removal of Sec. 17-21. – Odor.
- **WHY:**
 - Sec. 17-21. - Odor is subjective which does not align with the objective standards typically upheld in property maintenance codes; and
 - Existing odor regulations are already comprehensively covered under other codes, including the Fire Code, Police Code, Animal Services Code; and
 - Sec.17-50. - Trash and Debris. and Sec.17-70. - Stagnant Water. address what Sec.17-21. - Odor aims to regulate, but in a more precise and less subjective manner.

MINOR/ADMINISTRATIVE CHANGES

▪ Sec. 17-2. – Definitions.

Modify:	Add:	Delete:
Building official	Appraised value	Code official
Code enforcement officer	Demolish	
Building	Diligent effort	
Structure	Diligent effort	
	Minimum housing standards	
	Notice Party(ties)	
	Owner	
	Vacant	

MINOR/ADMINISTRATIVE CHANGES

- **Sec. 17-3. – Enforcement. (a)**

- **WHAT:** The revised text removes the detailed list of specific sections and provisions, instead granting Code Enforcement Officers the broader authority to enforce "any violations of the Code of Ordinances" as directed by the city manager.
- **WHY:** This broadens CIS enforcement scope without listing specific sections, thereby streamlining the text and potentially simplifying the enforcement process.

MINOR/ADMINISTRATIVE CHANGES

- **Sec. 17-3. – Enforcement. (b)**

- **WHAT:** The revised text simplifies these procedures by directly referencing the overarching guidelines set by the city manager and connecting the actions of code enforcement officers to a broader regulatory framework in Chapter 19, Article IV.
- **WHY:** These changes aim to make the enforcement provisions more concise and integrated with the city's broader regulatory framework, enhancing the overall efficiency and clarity of the code.

MINOR/ADMINISTRATIVE CHANGES

- **Sec. 17-3. – Enforcement. (c)**

- **WHAT:** Sec. 17-196. currently outlines the penalty provisions. The proposed change is to relocate Sec. 17-196. to Section 17-3. (c)

- **WHY:**

- Enhance clarity and ensure uniform application of penalties across Chapter 17.
- This move clarifies that the penalty provisions apply comprehensively to all sections of Chapter 17, ensuring consistency in enforcement and interpretation.

MINOR/ADMINISTRATIVE CHANGES

- **Sec. 17-3. – Enforcement. (d)**

- **WHAT:** Adds: (d) This Declaration of Nuisance and all terms of this Article shall be applicable to and enforceable both within the city limits and for a distance of five thousand feet (5,000) beyond the city limits as allowed by state law.
- **WHY:** Adding to codify existing allowable state law Texas Local Government Code Chapter 217 (Sec. 217.042. Nuisance.) into our local ordinance providing the City the authority to enforce all ordinances necessary to prevent and summarily abate and remove a nuisance.

MINOR/ADMINISTRATIVE CHANGES

- **Sec. 17-40. – Vegetation. (k)**

- **WHAT:** Adds (k) discarding of yard waste into the public street or right of way is prohibited.
- **WHY:** This nuisance action currently is considered littering enforced by the Police Department. Discharging yard waste into the street is a public nuisance that is not a direct threat to life safety. As such this targeted addition to Sec. 17-40. will provide CIS authority to educate the public and ensure compliance when yard waste is discarded in public streets.

MINOR/ADMINISTRATIVE CHANGES

- **Sec. 17-80. – Maintenance of Perimeter Fences.**
 - **WHAT:** Remove 5-degree lien
 - **WHY:** This is subjective which does not align with the objective standards typically upheld in property maintenance codes.

SUBSTANTIAL REVISIONS

- **Sec. 17-181. – ~~Conditions or defects constituting dangerous structure.~~ Dangerous Building Ordinance.**
 - **WHAT:**
 - This ordinance identifies and addresses structures deemed dangerous to ensure public safety and compliance with the City of Denton's building standards.
 - Enhances procedures:
 - **Identification:** Properties suspected of being dangerous will be evaluated by the Health & Building Safety Commission (HABSCo).
 - **Notification:** The City of Denton Code Official will notify property owners of the identified violations, providing clear instructions and a reasonable timeframe for remediation.
 - **Resolution:** If violations are not remedied, HABSCo may vote to declare the property as Dangerous and Unsafe.
 - **Last Resort:** Demolition will be considered only after all feasible corrective measures have been exhausted.
 - **WHY:** These updates aim to enhance clarity and enforceability of the code, ensuring all stakeholders understand their responsibilities and the processes involved in maintaining building safety.

PROPOSED REVISION TIMELINE

- **July 11, 2024** – Present final draft to HABSCo for approval and to authorize recommendations to City Council.
- **August 20, 2024** – Public Hearing for proposed Ch. 17 updates at City Council Meeting.
- **September 17, 2024** – Present final DPMC Chapter 17 updates to City Council for approval.
- **October-November 2024** – Educate Public on Ch. 17 updates.
- **December 15, 2024** – Implementation Date

PROVIDE FEEDBACK

- Email cis@cityofdenton.com,
- Online form at QR code or <https://www.cityofdenton.com/173/Code-Enforcement-Property-Maintenance>

