



City of Denton

City Hall
215 E. McKinney St.
Denton, Texas 76201
www.cityofdenton.com

Meeting Agenda

Health & Building Standards Commission

Thursday, June 8, 2023

3:00 PM

Development Service Center

After determining that a quorum is present, the Health and Building Standards Commission of the City of Denton, Texas will convene in a Regular Meeting on Thursday, June 8, 2023, at 3:00 p.m. in Training Rooms 1 and 2 at the Development Service Center, 401 N. Elm Street, Denton, Texas at which the following items will be considered:

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

“Honor the Texas Flag – I pledge allegiance to thee, Texas, one state under God, one and indivisible.”

2. ITEMS FOR CONSIDERATION

- A. [HBS23-003](#) Consider approval of the January 12, 2023, meeting minutes.

Attachments: [January 12, 2023](#)

- B. [HBS23-005](#) Receive a report, hold discussion, and give staff direction on proposed updates to Chapter 17 of the City of Denton Code of Ordinances revision plan.

Attachments: [Exhibit 1 - Agenda Information Sheet](#)
[Exhibit 2 - DPMC Update Matrix](#)
[Exhibit 3 - Presentation](#)

3. CONCLUDING ITEMS

A. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Health and Building Standards Commission or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

NOTE: The Health and Building Standards Commission reserves the right to adjourn into a Closed Meeting on any item on its Open Meeting agenda consistent with Chapter 551 of the Texas Government Code, as amended, or as otherwise allowed by law.

CERTIFICATE

I certify that the above notice of meeting was posted on the official website (<https://tx-denton.civicplus.com/242/Public-Meetings-Agendas>) and bulletin board at City Hall, 215 E. McKinney Street, Denton, Texas, on June 2, 2023, in advance of the 72-hour posting deadline, as applicable, and in accordance with Chapter 551 of the Texas Government Code.

OFFICE OF THE CITY SECRETARY

NOTE: THE CITY OF DENTON'S DESIGNATED PUBLIC MEETING FACILITIES ARE ACCESSIBLE IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. THE CITY WILL PROVIDE ACCOMMODATION, SUCH AS SIGN LANGUAGE INTERPRETERS FOR THE HEARING IMPAIRED, IF REQUESTED AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING. PLEASE CALL THE CITY SECRETARY'S OFFICE AT 940-349-8309 OR USE TELECOMMUNICATIONS DEVICES FOR THE DEAF (TDD) BY CALLING 1-800-RELAY-TX SO THAT REASONABLE ACCOMMODATION CAN BE ARRANGED.



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Legislation Text

File #: HBS23-003, **Version:** 1

AGENDA CAPTION

Consider approval of the January 12, 2023, meeting minutes.

MINUTES
HEALTH AND BUILDING STANDARDS COMMISSION
January 12, 2023

After determining that a quorum was present, the Health and Building Standards Commission of the City of Denton, Texas convened in a Special Called Meeting on Thursday, January 12, 2023, at 3:00 p.m. in Training Rooms 1 and 2 at the Development Service Center, 401 N Elm Street, Denton, Texas at which the following items were considered:

PRESENT: Chair Greg Coward, and Commissioners David Mollen, Nicholas Stevens, and Michael Sweigart

Absent: Vice-Chair Sebastian Delgadillo, and Commissioner Zachary Cathcart

SPECIAL CALLED MEETING

Chair Coward opened the meeting at 3:00 p.m.

1. PLEDGE OF ALLEGIANCE

- A. U.S. Flag
- B. Texas Flag

2. ITEMS FOR CONSIDERATION

A. HBS22-019 Election of a Chair and Vice-Chair.

Commissioner Mollen moved to nominate Commissioner Sweigart as Chair. Motion seconded by Commissioner Stevens. Motion carried.

AYES (4): Chair Coward, Commissioners Mollen, Stevens, and Sweigart
NAYS (0): None.

Commissioner Sweigart moved to nominate Commissioner Stevens as Vice-Chair. Motion seconded by Commissioner Mollen. Motion carried.

AYES (4): Chair Coward, Commissioners Mollen, Stevens, and Sweigart
NAYS (0): None.

B. HBS23-001 Introduction of new Commissioners Nicholas Stevens and Zachary Cathcart.

Commissioner Stevens introduced himself to the Commission. Commissioner Cathcart was not in attendance.

C. HBS22-017 Consider approval of the March 24, 2022, minutes.

Commissioner Sweigart motioned to approve the March 24, 2022, meeting minutes. Motion seconded by Mollen. Motion carried.

AYES (4): Chair Coward, Commissioners Mollen, Stevens, and Sweigart

NAYS (0): None.

D. HBS22-018 Consider approval of the 2023 meeting schedule.

The item was presented, no discussion followed.

Commissioner Sweigart motioned to approve the 2023 meeting schedule. Motion seconded by Stevens. Motion carried.

AYES (4): Chair Coward, Commissioners Mollen, Stevens, and Sweigart

NAYS (0): None.

3. CONCLUDING ITEMS

Commissioner Sweigart moved to adjourn the meeting. Motion seconded by Commissioner Stevens. Motion carried.

AYES (4): Chair Coward, Commissioners Mollen, Stevens, and Sweigart

NAYS (0): None.

Chair Coward adjourned the meeting at 3:15 p.m.

X_____

Michael Sweigart
Chair of Health and Building Standards Commission

_____ Date

X_____

Cathy Welborn
Administrative Assistant III

_____ Date



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Legislation Text

File #: HBS23-005, **Version:** 1

AGENDA CAPTION

Receive a report, hold discussion, and give staff direction on proposed updates to Chapter 17 of the City of Denton Code of Ordinances revision plan.



AGENDA INFORMATION SHEET

DEPARTMENT: Community Services

CM/DCM/ACM: Frank Dixon, Assistant City Manager

DATE: June 8th, 2023

SUBJECT

Receive a report, hold discussion, and give staff direction on proposed updates to Chapter 17 of the City of Denton Code of Ordinances revision plan.

BACKGROUND

Community improvement Services is recommending updates to Chapter 17, the Denton Property Maintenance Code (DPMC).

On June 8, 2023 staff will provide an overview of the purpose and the proposed timeline for review of the proposed ordinance updates and receive direction from HABSCo.

Purpose

The purpose of this review and update to the code of ordinances is based on the following considerations

1. A review of the International Property Maintenance Code has identified areas where Chapter 17 is not aligned with these universally accepted principles.
2. The Development Code Review Committee (DCRC) is considering updates to the Denton Development Code (DDC). There are some areas in the DDC that also duplicated in the Property Maintenance Code. If DDC amendments pass, it may require updates to Chapter 17.
3. There are some gaps in the current Chapter 17 code that limit the City's ability to directly address certain property maintenance issues, and updates could help better address those gaps.

In an effort to gain resident feedback on the proposed ordinance updates and help to ensure proposed code revisions have resident review before submitting to City Council for approval, CIS is asking Health and Building Standards Commission (HABSCo) to provide directions to CIS on the proposed code revisions (Exhibit 2).

Proposed Ordinance Review Timeline with HABSCo

- **Project Timeline:** One (1) Year with option to extend six (6) months as needed.
- **Committee:** Health and Building Standards Commission (HABSCo)
- **Meeting Plan:** Meet Monthly to complete the review and develop recommendations.
 - Meeting 1 – The Why and the What, a high-level overview of the rationale for why Chapter 17 needs updates and what the current code does and what it needs to do. Include code procedures along with data on cases and enforcement.

- Meetings Topics. Based on the extend of changes, CIS will review Articles each meeting with HABSCo as proposed below.
 - July 13th Start review with sections recommended for deletion.
 - August 10th Continue review with sections recommended for deletion.
 - September 14th Start review with sections recommended for no change.
 - October 12th Continue review with sections recommended for no change.
 - November 9th Start review with sections recommended for minor change.
 - December 14th Continue review with sections recommended for minor change.
 - January TBD Start review of sections being updated to 2021 IPMC.
 - February TBD Continue review of sections being updated to 2021 IPMC.
 - March TBD Start review of sections recommended for major change.
 - April TBD Continue review of sections recommended for major change.
 - May TBD Recap of suggested updates to DPMC and finalize for next steps.
- As time permits:
- Other areas not currently covered by code: Mold, Trees, Residential Pools (nuisance)
 - CHAPTER 18 – Review CIS enforcement sections with Police
 - CHAPTER 24 – Review CIS enforcement with Article III Solid Waste

Public Engagement

Staff will also host at least two meetings open to the public to review the proposed changes and one City Council meeting public hearing Prior to submitting any updates to City Council for approval. In addition, staff will provide ongoing opportunities for the public to provide comment through a community survey, neighborhood meetings, Discuss Denton, phone, email and in person.

ESTIMATED SCHEDULE OF PROJECT

Approximate time to review the full DPMC Chapter 17 and finalize all proposed updates by June 8, 2024. An option to extend six months if needed.

EXHIBITS

Exhibit 1 – Agenda Information Sheet
 Exhibit 2 – DPMC Matrix
 Exhibit 3 – Presentation

Respectfully submitted:
 Danielle Shaw
 Director of Community Services

Prepared by:
 Joshua Ellison
 Neighborhood Services Manger

CIS ENFORCEMENT:		
Chapter 17	Current Language	Proposed Language
1. ART I. - IN GENERAL		
Sec. 17-1.	(a)The regulations within this chapter shall be known as the Denton Property Maintenance Code ("DPMC"). The provisions of the DPMC shall apply to all existing structures and premises within Denton's city limits.(b)The purpose of the DPMC is to establish the minimum maintenance and sanitary standards for all premises and existing structures, so as to protect against blight, neighborhood decline, and depreciation of property. It is also the intent of the DPMC to ensure the health, safety and general welfare of the citizens of the City of Denton.(c)Existing structures and premises that do not comply with these provisions shall be altered or repaired to meet the minimum requirements of this chapter. All repairs, new additions, or alterations of existing structures that require a building permit shall comply with the adopted edition of the International Building Code currently in effect at the time of the repair, new addition, or alteration. [2](d)The other codes listed in sections 17-1 through 17-197 and referenced elsewhere in this Code shall be considered part of the requirements of this Code to the prescribed extent of each such reference.	Purpose and Intent. The regulations within this chapter shall be known as the Denton Proeprty Maintenance Code ("DPMC"). The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures equipment and facilities for light, ventilation, space, heating sanitation, protection from elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of owners, an owner's authorized agent, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties. Intent, This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.
Sec. 17-2.	Existing Definitions: Approved sound-level meter means an instrument sensitive to sound pressure fluctuations that provides a digital decibel reading indicating the level of sound based on a reference of zero db (0.0002 Micro Bar). The instrument must also be capable of taking measurements on the A-weighted scale and on a slow response.	Delete
Sec. 17-2.	Code enforcement officer means an officer employed by the city who engages in code enforcement to prevent detect, investigate, and enforce violations of laws regulating public nuisance, health, safety and welfare as specifically delegated by the city.	Code Enforcement Officer means an individual employed by the city who engages in code enforcement to prevent detect, investigate, and enforce violations of laws regulating public nuisance, health, safety and welfare as specifically delegated by the city.
Sec. 17-2.	Code official means the Building Official of the City of Denton or his/her designee charged with the administration and enforcement of this chapter. Code official does not include code enforcement officer.	Code official means the Building Official of the City of Denton or his/her designee charged with the administration and enforcement of this chapter. Code official does not include code enforcement officer.
Sec. 17-2.	Dangerous structure means one found to be dangerous to the life, limb, health, property, safety, or welfare of the general public or the occupants of the building or structure by not providing the minimum safeguards to protect or warn occupants in the event of fire, or because such building or structure contains unsafe equipment, is in an unsafe or uninhabitable condition, or is so damaged, decayed, dilapidated, structurally unsafe, faultily constructed, or has an unstable foundation such that partial or complete collapse is possible, as defined in section 17-182.	Dangerous structure means one found to be dangerous to the life, limb, health, property, safety, or welfare of the general public or the occupants of the building or structure by not providing the minimum safeguards to protect or warn occupants in the event of fire, or because such building or structure contains unsafe equipment, is in an unsafe or uninhabitable condition, or is so damaged, decayed, dilapidated, structurally unsafe, faultily constructed, or has an unstable foundation such that partial or complete collapse is possible, as defined in section 17-181 .
Sec. 17-2.	Efficiency dwelling unit means a dwelling unit containing only one (1) habitable room and meeting the requirements of section 17-159(j) of this chapter.	Efficiency dwelling unit means a dwelling unit containing only one (1) habitable room and meeting the requirements of section 17-159 (j) of this chapter. Remove/Review with Development Services
Sec. 17-2.		New Definitions Exercise Equipment means equipment primarily designed to hold the weight of a person and used for the improvement of a person's health including treadmills, weight benches, and elliptical machines. Sports Equipment means large objects primarily designed and used for the enjoyment of physical sports including basketball hoops, soccer goals, hockey goals, and bicycles.
Sec. 17-2.	Graffiti means any unauthorized form of painting, scratching, writing, or inscription including, but not limited to, initials, slogans, symbols or drawings, regardless of the content or nature of the material that has been applied, to any wall, building, fence, window, sign or other structure or surface, which is visible from: Any public property, any right-of-way or the private property of another person. "Graffiti" does not include advertising placed on property with the owner's permission, in compliance with applicable city ordinances, state or federal law.	Graffiti means any unauthorized form of painting, scratching, writing, or inscription including, but not limited to, initials, slogans, symbols, drawings, or decals/stickers regardless of the content or nature of the material that has been applied, to any wall, building, fence, window, sign or other structure or surface, which is visible from any public property, any right-of-way or the private property of another person. "Graffiti" does not include advertising placed on property with the owner's permission, in compliance with applicable city ordinances, state or federal law.
Sec. 17-2.	Guard means a building component or a system of building components located at or near the open sides of elevated walking surfaces, that minimizes the possibility of a fall from the walking surface to a lower level.	Guard, guardrails, and handrails means a building component or a system of building components located at or near the sides of walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.
Sec. 17-2.	Improved parking surface means a parking area constructed in compliance with the Denton Development Code and the Transportation Criteria Manual (Parking Lot Design - Materials and Pavements Section).	Improved parking surface means a parking area constructed in compliance with the Denton Development Code and the Transportation Criteria Manual (Parking Lot Design - Materials and Pavements Section). Grass and dirt are not improved parking surfaces.
Sec. 17-2.	Inoperable motor vehicle means a motor vehicle that is not in operating condition because it is wrecked, dismantled, partially dismantled, dilapidated, or has one (1) or more flat tires.	Inoperable motor vehicle means a motor vehicle that is not in operating condition because it is wrecked, dismantled, partially dismantled, dilapidated, has one (1) or more flat tires or a dead/missing battery(is).
Sec. 17-2.	Inoperable vehicle means a vehicle without a motor, including but not limited to trailers, campers, camper shells, and wheeled towing frames, that is not in operating condition because it is wrecked, dismantled, partially dismantled, dilapidated, or has one (1) or more flat tires.	Inoperable vehicle means a vehicle without a motor, including but not limited to trailers, campers, and wheeled towing frames, that is not in operating condition because it is wrecked, dismantled, partially dismantled, dilapidated, or has one (1) or more flat tires.

Sec. 17-2.	Motor vehicle means a self-propelled vehicle or a vehicle that is propelled by electric power from overhead trolley wires. The term does not include an electric bicycle or an electric personal assistive mobility device (meaning a two (2) non-tandem wheeled device designed for transporting one (1) person that is: (1) self-balancing; and (2) propelled by an electric propulsion system with an average power of seven hundred fifty (750) watts or one (1) horsepower.)	Motor vehicle means a self-propelled vehicle or a vehicle that is propelled by electric power from overhead trolley wires. The term does not include an electric bicycle or an electric personal assistive mobility device (meaning a two (2) non-tandem wheeled device designed for transporting one (1) person that is: (1) self-balancing; and (2) propelled by an electric propulsion system with an average power of seven hundred fifty (750) watts or one (1) horsepower.) This term includes, but is not limited to, golf carts, all-terrain vehicles (ATVs), jet skis, ride-on lawn maintenance equipment, and ride-on farm equipment. This term does not include motorized wheelchairs.
Sec. 17-2.	Outside storage means the storage, collection, or safekeeping of any goods, materials, products, appliances, equipment, or containers that are not enclosed by a structure with walls on all four (4) sides and a roof. Outside storage includes bicycles, but does not include moveable toys such as tricycles or pedal cars.	Outside storage means the storage, collection, or safekeeping of any goods, materials, products, appliances, equipment, or containers that are not enclosed by a structure with walls on all four (4) sides and a roof. Outside storage includes does not include bicycles, but does not include moveable toys such as tricycles, or pedal cars children's toys in good condition.
Sec. 17-2.	Perimeter fence means an enclosure used as a boundary or means of providing protection, confinement, or privacy and is located along the limits of the developed area and is adjacent to an alley, utility easement, or right-of-way.	Replace Entirely Fence or wall means an enclosure used as a boundary or means of providing protection, confinement, and/or privacy. This term shall not include retaining walls.
Sec. 17-2.	N/A	New Definition Parking area means an area on private property, improved or unimproved, and intended, designed, and/or constructed to be used for the parking or storage of vehicles. Parking area shall include, but not be limited to, driveways and driveway approaches, parking pads, drive isles, parking lots, and turnaround areas.
Sec. 17-2.	Public way means any street, alley or similar parcel of land which is deeded, dedicated or otherwise permanently appropriated to the public for public use, primarily for transportation purposes.	Public way Right-of-way or public right-of-way means any street, alley or similar parcel of land which is deeded, dedicated or otherwise permanently appropriated to the public for public use, primarily for transportation purposes.
Sec. 17-2.	Refuse means a heterogeneous accumulation of worn-out, used, broken, rejected or worthless materials including, but not limited to, garbage, paper or litter, and other decayable or nondecayable matter.	Refuse means a heterogeneous an all manner of worn-out, used, broken, rejected or worthless materials including, but not limited to, garbage, paper or litter, metal, wood, cardboard, Styrofoam, and other decayable or nondecayable matter.
Sec. 17-2.	N/A	New Definition Retaining wall means a wall that is used to hold back or stabilize earth or water.
Sec. 17-2.	Structure means any building or structure which is built for the support, shelter, or enclosure or partial enclosure of persons, animals, chattels or moveable property of any kind.	Structure: An edifice of any kind or any piece of work artificially built up or composed of parts joined together which requires location on, in, or above the ground or which is attached to something having a location on, in or above the ground. Flatwork or in-ground swimming pools are excluded.
Sec. 17-2.	Structure, accessory means any structure on the same lot with, and is incidental and subordinate to, the principal structure. Flatwork, in-ground swimming pools and fences or walls used as fences are excluded.	Accessory structure Any structure on the same lot with and that is incidental and subordinate to the principal structure. Flatwork, in-ground swimming pools and fences or walls used as fences are excluded.
		New Definition Principal Structure : The structure in which the principal permitted use of the lot on which the structure is located is conducted.
17-2		New Definition Accessory Building: A building on the same lot with, and of a size and nature customarily incidental and subordinate to, the principal building.
Sec. 17-2.	Property means all privately owned, occupied or unoccupied land, structure, facility, or premises, including vacant land, and/or a structure designed or used for residential, commercial, business, industrial or religious purposes. The term "property" shall also include, but not be limited to, a yard, ground, wall, driveway, fence, porch, steps or other structure appurtenant to the property.	Property means all privately owned, occupied or unoccupied land, structure, facility, or premises, including vacant land, and/or a structure designed or used for residential, commercial, business, industrial or religious purposes. The term "property" shall also include, but not be limited to, a yard, ground, wall, driveway parking area, fence, porch, steps or other structure appurtenant to the property.
Sec. 17-2.	Temporary carport or auto shade cover means a structure that is not permanently secured below grade or which has a nonrigid top material used for the purpose of providing shade, shelter, and/or weather protection for automobiles, trucks, recreational vehicles, boats, and similar vehicles.	Temporary carport or auto Shade cover means a structure that is not permanently secured below grade or which has a non-rigid top material used for the purpose of providing shade, shelter, and/or weather protection for automobiles, trucks, recreational vehicles, boats, and similar vehicles.
Sec. 17-2.	Trash and debris means all manner of refuse including, but not limited to junk, carrion, filth, garbage, impure or unwholesome matter, grass and weed clippings, paper trash, useless fragments of building material, rubble, useless household items, items of salvage such as scrap metal and wood, old barrels, old tires, objects that hold water for an extended time, tree and brush trimmings, and other miscellaneous wastes or rejected matter.	Trash and debris means all manner of refuse including, but not limited to junk, carrion, filth, garbage, impure or unwholesome matter, grass and weed clippings, paper trash, fragments of building material, rubble, unused landscape materials, useless household items, items of salvage such as scrap metal and wood, old barrels, old tires, objects that can hold water for an extended time, tree and brush trimmings, appliances that are unattended, broken, exposed to the elements and/or hazardous to children, and other miscellaneous wastes or rejected matter.

Sec. 17-2.	Truck-tractor means a motor-driven vehicle designed and used primarily for drawing another vehicle and not constructed to carry a load other than a part of the weight of the vehicle and load to be drawn.	Truck -Tractor trailer means a motor-driven vehicle designed and used primarily for drawing another vehicle and not constructed to carry a load other than a part of the weight of the vehicle and load to be drawn.
Sec. 17-2.	Vehicle means a device in or by which a person or personal property is or may be transported or drawn on a public highway, or on any waterway, and shall include all motor vehicles, trailers, campers, camper shells, wheeled towing frames, recreational vehicles, truck-tractors, travel trailers, self-propelled farm equipment, motor-boats or boat trailers. For the purposes of this chapter, "vehicles" shall not include nonmotorized bicycles, skateboards, roller skates, or any other nonmotorized toy vehicle.	Vehicle means a device in or by which a person or personal property is or may be transported or drawn on a public highway, or on any waterway, and shall include but not be limited to all motor vehicles, trailers, campers, wheeled towing frames, recreational vehicles, all-terrain vehicles, golf carts, truck-tractors, tractor trailers, self-propelled farm equipment, motor-boats, boat trailers, jet skis and jet ski trailers. For the purposes of this chapter, "vehicles" shall not include nonmotorized bicycles, skateboards, roller skates, or any other nonmotorized toy vehicle. This term shall not include toys, bicycles, or skateboards.
Sec. 17-3.	(a)Code Enforcement Officers of the City of Denton are hereby authorized and directed to enforce any violations of the Code of Ordinances as directed by the city manager including, but not limited to the following provisions in this chapter: Sections 17-21, 17-34, 17-35, 17-37, 17-40, 17-41, 17-42, 17-50, 17-60, 17-61, 17-62, 17-70, 17-80, 17-90, 17-100, 17-101, 17-112, 17-121, 17-122, 17-124, 17-144, and chapter 17, article XIII, divisions 2 and 3, and chapter 24, articles I and II, and sections 18-197 and 18-198. Code enforcement officers shall also have the authority to interpret these provisions and apply such interpretations to these provisions in the interest of public safety, health, and general welfare. Code enforcement officers shall not have the authority to waive structural, fire or sound engineering requirements relative to public safety. Code enforcement officers shall not have the authority to inspect properties for compliance with Denton Development Code rules and regulations or chapter 28 of the Code of Ordinances for the City of Denton.	Chapter 24 sections I, II and III . Check if PD has any power for 24-69
Sec. 17-3.	(b)Code enforcement officers shall make, or cause to be made all of the inspections required to enforce the provisions in section 17-3(a). Whenever necessary to make an inspection to enforce any of these provisions or whenever the code enforcement officer has reasonable cause to believe that there exists in any structure or upon any premises any condition or violation which makes such structure or premises unsafe by virtue of violations of these provisions, the code enforcement officer, as authorized by law, may enter such structure or premises at all reasonable times to inspect the same or to perform any duty imposed upon the code enforcement officer under this section. If such structure or premises is occupied, he/she shall first present proper credentials and request entry, and if such structure is unoccupied, he/she shall first make a reasonable effort to locate the owner or other persons having care or control of the structure or premises and request entry. If such entry is refused or if the code enforcement officer is otherwise unable to obtain the owner's consent to enter, the code enforcement officer shall have recourse to every remedy provided by law to secure entry.	No change suggested at this time.
<i>Secs. 17-4—17-19. - Reserved.</i>		
2. ART II. - NOISE AND ODORS		
Sec. 17-20.	Article II - Noise and Odors 17-20: Noise	Delete Section 17-20: Noise
Sec. 17-21.	(c)(4)Offensive odors from smoke from the burning of trash, rubbish, rubber, chemicals or other things or substances;	(c) (4)Offensive odors from the presence of trash and debris, or from the smoke from the burning of trash rubbish and debris , rubber, chemicals or other things;
	(c)(5)Offensive odors from stagnant pools allowed to remain on any premises or from rotting garbage, refuse, offal or dead animals on any premises.	(c) (5)Offensive odors from stagnant pools allowed to remain on any premises or from rotting garbage, refuse, offal or dead animals- stagnant water on any premises.
<i>Secs. 17-22—17-29. - Reserved.</i>		

3. ART III. - INOPERABLE AND JUNKED VEHICLES		
Sec. 17-30.	Take Possession of Abandoned Vehicles	Delete Section 17-30
Sec. 17-31.	Notification of Abandoned Vehicles	Delete Section 17-31
Sec. 17-32.	Auction of Abandoned Vehicles	Delete Section 17-32
Sec. 17-33.	Demolition of Abandoned Vehicles	Delete Section 17-33
Sec. 17-34.	Sec. 17-34. - Inoperable vehicles, inoperable motor vehicles, junked vehicles declared public nuisance; maintaining public nuisance prohibited. (a)An inoperable vehicle, inoperable motor vehicle, or junked vehicle that is visible from any right-of-way or adjacent property and/or is detrimental to the safety and welfare of the general public, tends to reduce the value of private property, invites vandalism, creates a fire hazard, is an attractive nuisance creating a hazard to the health and safety of minors, or produces urban blight adverse to the maintenance and continuing development of the city, is declared to be a public nuisance.(b)It shall be unlawful for any person, owner, agent, occupant or anyone having supervision or control of any real property within the city to maintain a public nuisance as determined under this section.(c)It shall be unlawful for any person, owner, agent, occupant or anyone having supervision or control of any real property within the city to have more than one (1) inoperable vehicle, inoperable motor vehicle, or junked vehicle upon their property. This subsection shall not apply to auto sales lots, vehicle repair businesses, and salvage yards as long as all inoperable and junked vehicles on these properties shall be kept in compliance with subsections (d), (e), (f), and (g).(d)Any inoperable vehicle, inoperable motor vehicle, or junked vehicle shall be screened from any right-of-way or adjacent property by means of a solid opaque fence or shall be enclosed within a building. In no case shall any cover placed over an inoperable vehicle, inoperable motor vehicle, or junked vehicle be used to screen the vehicle from view. Sec. 17-34. - Inoperable vehicles, inoperable motor vehicles, junked vehicles declared public nuisance; maintaining public nuisance prohibited.	Motor Vehicles. Except as provided for in other regulations, inoperable or unlicensed motor vehicles shall not be parked, kept or stored on any premises, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes. Improper storage of inoperable vehicles can be a serious problem for a community. The vehicles are unsightly, clutter the neighborhood, provide a harborage for rodents and are an attractive nuisance for children. This section establishes criteria for acceptable vehicle storage. No inoperable or unlicensed vehicles are permitted on a property unless approved in other regulations adopted by the community. This regulation addresses two problems associated with vehicle storage and repair: The blighting influence that improperly stored, inoperable vehicles have on a neighborhood
Sec. 17-35.	Sec. 17-35. - Procedures for abating nuisance; exception. (a)The city may abate and remove a junked vehicle or a part of a junked vehicle as a public nuisance from private property, public property or public rights-of-way as provided in this section.(b)For such nuisance on private property, the city shall give not less than ten (10) days' notice stating the nature of the public nuisance on private property, that it must be removed and abated within ten (10) days and that a request for a hearing must be made before expiration of the ten-day period. The notice shall be mailed, by certified mail with a five-day return requested, to the last known registered owner of the junked motor vehicle, any lienholder of record and the owner or occupant of the private premises on which the public nuisance exists. If any notice is returned undelivered by the United States Postal Service, official action to abate the nuisance shall be continued to a date not less than 10 days after the date of the return.(c)For such nuisance on public property, the city shall give not less than ten (10) days' notice, stating the nature of the public nuisance on public property or on a public right-of-way, that the nuisance must be removed and abated within ten (10) days. The notice shall be mailed, by certified mail with a five-day return requested, to the last known registered owner of the junked motor vehicle, any lienholder of record and the owner or occupant of the public premises or to the owner or occupant of the premises adjacent to the public right-of-way on which the public nuisance exists. If the notice is returned undelivered by the United States Postal Service, official action to abate the nuisance shall be continued to a date not less than 10 days after the date of the return.	No change suggested at this time.
Sec. 17-36.	Sec. 17-36. - Disposal of junked vehicles. A junked vehicle or vehicle part may be disposed of by removal to a scrapyard, demolisher or any suitable site operated by the city for processing as scrap or salvage. The process of disposal must comply with the provisions of section 17-33. The city may transfer the vehicle or vehicle parts to a disposal site if the disposal is only as scrap or salvage. (Ord. No. 2010-132, § 1, 5-11-10) Sec. 17-37. - Enforcement. The code enforcement officer may enter private property as authorized by law for the purposes specified in the procedures to examine a vehicle or vehicle part, obtain information as to the identity of the vehicle and remove or cause the removal of a vehicle or vehicle part that constitutes a nuisance: 1) with consent of the owner or person in control of the property; 2) with a valid warrant issued by a magistrate; or 3) when the private property is open to the public.	No change suggested at this time.
Secs. 17-38, 17-39.		
Secs. 17-38, 17-39. - Reserved.		
4. ART IV. - GRASS, WEEDS AND OTHER VEGETATION		

Sec. 17-40.	<p>Sec. 17-40. - Grass or weeds in excess of twelve (12) inches in height declared a nuisance and prohibited.</p> <p>(a)It shall be unlawful for any person owning, claiming, occupying or having supervision or control of any real property, occupied or unoccupied, within the corporate limits of the city to fail to remove or mow any weeds or grass growing in excess of twelve (12) inches in height on said real property, including easements and rights-of-way. It is a violation of this section if the tall grass and weeds are visible from a right-of-way or an adjacent property.</p> <p>It shall be a defense to prosecution that the real property is owned by the State of Texas.</p> <p>(b)It shall be unlawful for any person owning, claiming, occupying, or having supervision or control of any real property, occupied or unoccupied, within the corporate limits of the city to fail to remove or mow wildflowers after such time as seeds have matured following the final blooming of the majority of the plants, or native grasses after such time as the majority of a species have gone dormant.(c)It shall be unlawful for any owner or occupant of any property within the city to fail to remove vegetation growing within one (1) foot of the street or alley adjacent to that private property.</p> <p>However, it shall be a defense to prosecution if the vegetation does not encroach upon a lane of traffic or obstruct the view of any</p>	<p>(a)It shall be unlawful for any person owning, claiming, occupying, managing or having supervision or control of any real property, occupied or unoccupied, within the corporate limits of the city to fail to remove or mow any weeds or grass growing in excess of twelve (12) inches in height on said real property, including easements and adjacent rights-of-way.It is a violation of this section if the tall grass and weeds are visible from a right-of-way or an adjacent property.</p> <p>❖ Criteria establishing maximum heights for grass and weeds are necessary to reduce rodent shelters and pollen dust problems.</p> <p>This section provides a mechanism for removal of weeds on neglected or abandoned properties after proper notice has been given to the responsible owner or agent (see Section 111). It is important that the code official acts quickly in requiring weed removal to prevent the weeds from contributing to a blight condition that could eventually become a harbor for pests and rodents.</p> <p>All noxious weeds are prohibited; however, each community has different weeds that are considered noxious. The code official should confer with the state or local agricultural agent to become familiar with weeds that are noxious in his or her community.</p>
Sec. 17-41.		
Sec. 17-42.		
<i>Secs. 17-43—17-49. - Reserved.</i>		
5. ART V. - TRASH AND DEBRIS		
Sec. 17-50.	<p>Sec. 17-50. - Trash and debris declared a nuisance and prohibited.</p> <p>(a)It is unlawful and declared a nuisance for any person owning, claiming, occupying or having supervision or control of any real property, occupied or unoccupied, within the corporate limits of the city, to fail to remove any refuse, trash, debris, filth, carrion, junk, or garbage from any such real property, including easements and rights-of-way. It is a violation of this section if the refuse, trash, debris, filth, carrion, junk, or garbage is visible from a right-of-way or an adjacent property.(b)It is unlawful to maintain premises in a manner that creates unsanitary conditions that are likely to attract or harbor mosquitoes, rodents, vermin, or disease-carrying pests.</p>	<p>Sec. 17-50. - Trash and debris declared a nuisance and prohibited.</p> <p>(a)It is unlawful and declared a nuisance for any person owning, claiming, occupying or having supervision or control of any real property, occupied or unoccupied, within the corporate limits of the city, to fail to remove any refuse, trash, debris, filth, carrion, junk, or garbage from any such real property, including easements and rights-of-way. It is a violation of this section if the refuse, trash, debris, filth, carrion, junk, or garbage is visible from a right-of-way or an adjacent property.(b)It is unlawful to maintain premises in a manner that creates unsanitary conditions that are likely to attract or harbor mosquitoes, rodents, vermin, or disease-carrying pests.</p> <p>Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.</p>
<i>Secs. 17-51—17-59. - Reserved.</i>		
6. ART VI. - OUTSIDE STORAGE AND OUTSIDE DISPLAY		
Sec. 17-60.	<p>Sec. 17-60. - Outside storage.</p> <p>(1)In addition to complying with EPA regulations, the International Fire Code, and all other applicable rules and regulations, outside storage shall comply with the following:(a)Shall not be located in any portion of the front yard, and shall be screened from public view at all times. Screening shall be of natural vegetation, masonry, wood, metal, vinyl, PVC, or composite fence materials only, and shall be maintained in a state of good repair at all times. At no time shall a tarp of any kind be used for screening. Play structures such as swing sets, jungle gyms and erected play areas, associated with a residential use, shall be exempt from the screening requirements.(b)Properties zoned IC-E or IC-G, and all industrial uses that are legally permitted are exempted from the requirements of paragraph (a) of this section, provided that no items are stored in any part of a fire lane, required parking space, maneuvering lane, public right-of-way, or visibility triangle.(2)It is an affirmative defense to prosecution that the following items are maintained in good repair, are for residential use, and are not a nuisance to the public:(a)Storage, collection, or safekeeping in a carport of:i.Building materials that are temporarily stored in a workmanlike manner as part of, and in conjunction with, an active building permit;ii.Motorized lawn equipment;iii.Storage containers, if stored and maintained in an orderly manner against a permanent wall; or iv. Household and yard tools, and household cleaning implements, if stored and maintained in an orderly manner against a</p>	<p>no change suggested at this time</p>
Sec. 17-61.	<p>Sec. 17-61. - Outside display.</p> <p>Outside displays shall comply with the following criteria:</p> <p>(a)Shall be arranged in an orderly manner and is part of the merchandise of an authorized retail business that is located in zoning districts that allow retail sale.(b)Shall not be displayed in a manner that creates an unsafe condition or obscures any sight visibility line or sight visibility triangles.(c)Shall not be located on any public property; within an easement; within a designated fire lane; within any required parking spaces; or located so as to obstruct safe vehicular or pedestrian passage, ingress, or egress.(d)Shall be maintained so as to not become a nuisance to the public or any adjoining property</p>	<p>No change suggested at this time.</p>
Sec. 17-62.	<p>Sec. 17-62. - Solid waste container maintenance.</p> <p>The code enforcement officer shall enforce chapter 24, articles I and II, of the Code of Ordinances of the City of Denton, as amended</p>	<p>No change suggested at this time.</p>

Secs. 17-63—17-69. - Reserved.		
7. ART VII. - ENVIRONMENTAL NUISANCES		
Sec. 17-70.	Sec. 17-70. - Stagnant water. (a)It shall be unlawful and considered a public nuisance for any person owning, leasing or occupying real property, within the limits of the City of Denton, to fail to remove the accumulation or ponding of standing, stagnant, or nonmaintained water thereon or permit the same to remain, which may harbor or be a breeding ground for mosquitoes, flies, or other pests, or which may cause a foul odor, or adversely impact the public health and safety by any means. Accumulations or ponding of water shall not exceed a forty-eight-hour period under normal rainfall conditions as described by the U.S. Department of Commerce, National Oceanic and Atmospheric Administration National Weather Service (NOAA).(b)A finding by a code enforcement officer or health inspector of the City of Denton shall constitute prima-facie evidence that standing, stagnant, or nonmaintained water is conducive to the breeding or harboring of mosquitoes or other insects. Potential tools to make this finding may include measures of water turbidity, the presence of excessive organic matter in the water, the presence of foul odors, visually apparent algal growth, or the presence of mosquitoes, flies, or other pests. The presence of mosquito larva is not required for standing, stagnant, or nonmaintained water to be classified as a public nuisance.(c)It shall be unlawful for any person, owner, agent, occupant or anyone having supervision or control of any real property within the city to maintain a public nuisance as determined under this section.(d)It shall be the duty of said persons to abate nuisances	No change suggested at this time.
Secs. 17-71—17-79. - Reserved.		
8. ART VIII. - FENCES		
Sec. 17-80.	Sec. 17-80. - Maintenance of perimeter fences. (a)An owner shall maintain all perimeter fences in sound structural condition.(b)All perimeter fences, including those existing prior to the adoption of this chapter, shall be maintained at all times in a state of good repair with no broken, loose, damaged, removed or missing parts, and in safe and secure condition with all braces, bolts, nails, supporting frame and fastenings free from deterioration, termite infestation, rot, rust or loosening, and able to withstand the wind pressure for which they were designed.(c)Perimeter fences shall not lean at an angle from the vertical plane any greater than five (5) degrees.(d)Perimeter fence repairs shall be made using the same material, or a very similar material with comparable composition, color, size, shape, and quality of the original fence to which the repair is being made.(e)If fifty (50) percent or more of the length of one (1) side of a perimeter fence that is made of nonpermitted material(s) is broken, damaged, removed, or missing parts, the entire length of said side of the fence shall be replaced in accordance with the requirements of the Denton Development Code. However, it is a defense to prosecution if the perimeter fence to be replaced is barbed wire, razor wire, or electrified wire, if the fence is associated with a legally permitted agricultural or industrial use.	Sec. 17-80. - Maintenance of perimeter fences. (a)An owner shall maintain all perimeter fences in sound structural condition.(b)All perimeter fences, including those existing prior to the adoption of this chapter, shall be maintained at all times in a state of good repair with no broken, loose, damaged, removed or missing parts, and in safe and secure condition with all braces, bolts, nails, supporting frame and fastenings free from deterioration, termite infestation, rot, rust or loosening, and able to withstand the wind pressure for which they were designed.(c) Perimeter fences shall not lean at an angle from the vertical plane any greater than five (5) degrees. (d)Perimeter fence repairs shall be made using the same material, or a very similar material with comparable composition, color, size, shape, and quality of the original fence to which the repair is being made. All perimeter and boundary fences that are viewed by a code enforcement officer either from a right of way or in result of a complaint or rental inspection whose ownership has been clearly determined must comply with the provisions as outlined for perimeter fences in subsection (a) through (g) above.
Sec. 17-81.		
Secs. 17-82—17-89. - Reserved.		
9. ART IX. - TEMPORARY CARPORTS OR AUTO SHADE COVERS		
Sec. 17-90.	Sec. 17-90. - Temporary carports and/or auto shade covers prohibited. The use of temporary carports and/or auto shade covers are expressly forbidden in both residential and commercial districts in the city with exceptions for licensed car dealerships, car washes, and auto detailers whose structures are in compliance with other city ordinances and laws.	No Changes suggested at this time.
Secs. 17-91—17-99. - Reserved.		
10. ART X. - CERTAIN PARKING REGULATIONS		
Sec. 17-100.	Sec. 17-100. - Vehicles for sale. (a)No vehicle for sale may be parked or stored on any right-of-way or easement except those lawfully parked upon a city street.(b)No vehicle for sale may be parked or stored within two hundred (200) feet of the right-of-way or easement on vacant lots or on commercial properties that do not have a certificate of occupancy to operate as a new or used car dealership.	No Changes suggested at this time.

Sec. 17-101.	Sec. 17-101. - Parking nuisances. (a)Parking regulations. It is a nuisance and shall be deemed illegal for any person to park in violation of the following provisions:(1)It shall be unlawful for a person to park or store or allow another to park or store a vehicle in the front, side, or rear yard of any property upon any surface other than an improved parking surface.(2)See the Denton Development Code and the Transportation Criteria Manual for allowed materials and construction specifications for parking surfaces for properties other than single-family homes and duplex dwellings.(3)For single-family homes and duplex dwellings, if an improved parking surface exists in a front, side, or rear yard, any improved parking surfaces that are added shall be attached in a parallel fashion to create a contiguous parking surface. The added parking surface shall be constructed of the same material as the existing parking surface and shall not exceed twelve (12) feet in width, the maximum lot coverage as specified in the Denton Development Code, or encroach within three (3) feet of a neighboring property line. If the added parking surface runs parallel to a sidewalk, there must be at least five (5) feet between the edge of the sidewalk that is closest to the property line and the added parking surface.(4)Single-family homes and duplex dwellings may use gravel for existing dirt driveways, excavated and poured to a four-inch depth and bordered to create a parking surface level with the existing driveway.(5)Single-family homes and duplex dwellings that have existing concrete, parallel parking ribbons may maintain said as	No Changes suggested at this time.
<i>Secs. 17-102—17-109. - Reserved.</i>		
11. ART XI. - GENERAL ABATEMENT PROCEDURES		
Sec. 17-110. Sec. 17-111. Sec. 17-112.		
	Sec. 17-112. - City may correct violation. (a)Procedure. If at least ten (10) days has expired after notice has been given in accordance with section 17-111 and the owner has failed to correct the violation, the city may enter upon the property and do the work, or pay for the work to be done, as necessary to correct the violation. If the owner commits another violation of the same kind or nature on or before the first anniversary of the date of a notice of a violation as required in section 17-110 and the city has not received written notification by the owner of an ownership change, the city without further notice, as authorized by law, may correct the violation at the owner's expense and assess the expenses against the property as provided by this section.(b)Owner assessed costs. A statement of the costs incurred by the city in correcting a violation shall be mailed or delivered to the property owner in accordance with the notice requirements of section 17-111. The costs shall include an administrative fee established by the city council and on file in the office of the city secretary. The payment shall be due within thirty (30) days of the date of mailing.(c)Lien to secure costs. If the statement is not timely paid, the city may file a statement with the county clerk of the costs incurred, including administrative costs. Upon filing the statement, the city shall have a privileged lien on the land upon which the costs were incurred, second only to tax liens and liens for street improvements. The amount of the lien shall include ten (10) percent on the delinquent amount from the date payment was made by the city. The statement of	No Changes suggested at this time.
<i>Secs. 17-113—17-119. - Reserved.</i>		
12. ART XII. - GRAFFITI		
Sec. 17-120.	Sec. 17-120. - City requirement. Prior to the issuance of any notice required to be issued by this article, the city shall, in writing, offer to remove graffiti from an owner's property free of charge and determine that the property owner failed to timely respond to, or refused, the offer. (Ord. No. 2010-132, § 1, 5-11-10)	No Changes suggested at this time.
Sec. 17-121.	Sec. 17-121. - Declaration of public nuisance. Graffiti is declared to be a public nuisance. Whenever the existence of graffiti on any property within the city shall come to the attention of the city, provided the owner of the property has refused the offer of the city to remove the graffiti free of charge, the code enforcement officer shall cause a written notice as provided in this article identifying the graffiti and direct its removal. In addition to any penalty provided in this chapter, the city shall have all remedies available at law and equity to abate such nuisance.	Sec. 17-121. - Declaration of public nuisance. Defacement of property by means of stickers or graffiti are declared to be a public nuisance. Whenever the existence of graffiti on any property within the city shall come to the attention of the city, provided the owner of the property has refused the offer of the city to remove the graffiti free of charge, the code enforcement officer shall cause a written notice as provided in this article identifying the graffiti and direct its removal. In addition to any penalty provided in this chapter, the city shall have all remedies available at law and equity to abate such nuisance.

Sec. 17-122.	Sec. 17-122. - Owner responsibility. (a)An owner of property commits an offense if, after notification by the city, the owner fails to paint over or remove all graffiti from the owner's property that is visible from any public property or right-of-way or from any private property other than the property on which the graffiti exists.(b)The property will be re-inspected no sooner than the 15th day after the date on the notice. If the property is not in compliance at that time, a notice to remove the graffiti shall be given to the owner by the city. The notice shall:(1)Contain the date and nature of the violation;(2)Contain the physical location of the violation by street address;(3)Contain the name of owner; and(4)Require the owner to remove the graffiti on or before the 15 the day after the date the property owner receives the notice described in this article.(5)If the condition is not corrected on or before the 15 the day of receipt of such notice or the owner fails to file an appeal on or before the 15 the day of receipt of notice from the city, the city may, without further notice, enter upon the property by its agent or its contractors, remove the graffiti and charge the expenses of removal to the owner in accordance with a fee schedule established by the city. If the graffiti is removed by the city, the expenses of removal may be charged to the property owner and a lien may be filed against the property.(c)Notice of the violation may be delivered personally to the owner in writing; by letter sent by certified mail, addressed to the property owner at the property owner's address as contained in the records of the appraisal district in which the	No Changes suggested at this time.
Sec. 17-123. Sec. 17-124.		
<i>Secs. 17-125—17-140. - Reserved.</i>		
13. ART XIII. - BUILDINGS AND BUILDING REGULATIONS		
a. DIVISION 1. – GENERALLY <i>Building Official, DDC</i>		
Sec. 17-141. Sec. 17-142. Sec. 17-143.		
Sec. 17-144.	Sec. 17-144. - Enforcement. The code official is hereby authorized and directed to enforce all of the provisions of this article. The code official shall also have the authority to interpret this article and apply such interpretation to provisions of this chapter in the interest of public safety, health and general welfare. The code official shall not have the authority to waive structural or fire performance requirements nor shall he make exceptions which clearly violate accepted engineering principles relative to public safety. (a)The code official shall keep all official records relating to the provisions of this article. Such records shall be kept in the official records as long as required by city, state and/or federal government regulations.(b)Inspections. The code official shall make, or cause to be made, all of the inspections required to enforce the provisions of this article, and chapter 28 of the Code. The code official may accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise.(c)Right of entry. Whenever necessary to make an inspection to enforce any of the provisions of this article or whenever the code official has reasonable cause to believe that there exists in any structure or upon any premises any condition or violation which makes such structure or premises unsafe, dangerous, or hazardous, the code official, as authorized by law, may enter such structure or premises at all reasonable times to inspect the same or	No Changes suggested at this time.
Sec. 17-145. Sec. 17-146.		
<i>Secs. 17-147—17-149. - Reserved.</i>		
b. DIVISION 2. - MINIMUM BUILDING STANDARDS (MBS)		
Sec. 17-150.	Sec. 17-150. - Minimum standards for continued use and occupancy. All buildings, structures, and portions thereof shall conform to the minimum standards for continued use and occupancy set forth in this division. Each owner of any building, structure, or premises within the city shall comply with the applicable provisions of this division. The standards established in this division shall be the minimum standards for the continued use and occupancy of all buildings, structures, and premises. The owner of any building, structure, or premises that is in violation of these minimum standards and this division may be ordered to perform one (1) or more of the following: Repair, vacate, secure, remove, or demolish such building, structure, or premises.	No Changes suggested at this time.
Sec. 17-151.	Sec. 17-151. - Criteria for establishing minimum standards. The owner of premises is in violation of this division if any one (1) or more, in any combination, of the minimum standards identified in this division are not met.	No Changes suggested at this time.

Sec. 17-152.	<p>Sec. 17-152. - Exterior premises.</p> <p>(a)Private sidewalks and driveways. All private sidewalks, walkways, stairs, driveways, parking spaces and similar outdoor areas shall be maintained free from hazardous conditions.(b)Rodent harborage. All structures and exterior premises shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.(c)Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge hazardous or potentially hazardous gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.</p>	<p>Exterior property areas. Sidewalks and driveways. Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions. Weeds. Premises and exterior property shall be maintained free from weeds or plant growth in excess of [12 INCHES IN HEIGHT]. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with this DPMC as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property. Rodent harborage. Structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation. Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.</p>
Sec. 17-153.	<p>Sec. 17-153. - Exterior structure.</p> <p>The exterior of a structure or accessory structure must be maintained in good condition, structurally sound and kept clean and sanitary so as to protect the health, safety and general welfare of the public.</p> <p>(a)Protective treatment. Exterior surfaces, including but not limited to walls, windows, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good and reasonable condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting* or other protective covering or treatment. Peeling, flaking, chalking, and chipped paint shall be eliminated and surfaces repainted*. Siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and watertight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.</p> <p>* "For 1078 structures undergoing paint removal or stabilization may be subject to "safe work practices" as promulgated by the</p>	<p>Exterior Structure. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare. Unsafe conditions. The following conditions shall be determined as unsafe an shall be repaired or replaced to comply with the International Building Code and DPMC: (1) The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength. (2) The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects. (3) Structures or components thereof that have reached their limit state. (4) Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight. (5) Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects. (6) Foundation systems that are not firmly supported by footing, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. (7) Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored, or are not capable of supporting all nominal loads and resisting all load effects. (8) Roofing or roofing components that have defects that admit rain, roof surfaces with adequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper</p>
Sec. 17-154.	<p>Sec. 17-154. - Interior structure.</p> <p>The owner and manager shall maintain the interior of a structure and equipment in a good, structurally sound, and sanitary condition. Occupants shall maintain that part of the structure which they occupy or control in a clean and sanitary condition. The above conditions include, but are not limited to, the following:</p> <p>(a)The owner and manager shall maintain all structural members structurally sound, and capable of supporting the imposed loads.</p>	<p>Interior Structure. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure that they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory or two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property. Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: (1) The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength. (2) The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects. (3) Structures or components thereof that have reached their limit state. (4) Structural members are incapable of supporting nominal loads and load effects. (5) Stairs, landings, balconies and all similar walking surfaces, including guards and handrails, are not structurally sound, not properly anchored or are anchored with connections not capable of supporting all nominal loads and resisting all load effects. (6) Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. Exception: 1. Where</p>
Sec. 17-155.	<p>Sec. 17-155. - Handrails and guardrails.</p> <p>Every exterior and interior flight of stairs in a residential dwelling unit having more than four (4) risers, and commercial stairs greater than one (1) riser, shall be maintained in a good and safe condition with a handrail on one (1) side of the stair. Every open portion of a stair, landing, balcony, porch, deck, ramp, or other walking surface which is more than thirty (30) inches above the floor or grade shall be equipped with guards not less than thirty-four (34) inches in height measured from the nose of the treads. Handrails shall not be less than thirty-four (34) inches high or more than thirty-eight (38) inches high, measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards for nonresidential stairways and landings, and for all stairways and landings outside individual dwelling units of multi-family structures, shall not be less than forty-two (42) inches high above the floor of the landing, balcony, porch, deck, ramp, or other walking surface. Intermediate rails shall be spaced to prohibit the passage of: a four-inch sphere for rails installed after April 6, 1993, a six-inch sphere for rails installed between September 15, 1986 and April 6, 1993, or a nine-inch sphere for rails installed prior to September 15, 1986. Every handrail and guard shall be firmly fastened, capable of supporting normally imposed loads, and maintained in good condition.</p>	<p>Handrails and Guardrails. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) in height or more than 42 inches (1067 mm) in height measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall be not less than 30 inches (762 mm) in height above the floor of the landing, balcony, porch, deck, or ramp or other walking surface. Exception: Guards shall not be required where exempted by the adopted building code.</p>

Sec. 17-156.	<p>Sec. 17-156. - Extermination.</p> <p>The owner shall maintain all structures and exterior premises reasonably free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, the owner shall take proper precautions to prevent re-infestation. The owner, manager and occupant shall maintain those portions of the interior of a structure under his or her control free from rubbish, garbage, and other substances that may encourage infestation by insects, rodents, or vermin, and from all unsanitary conditions. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination.</p>	<p>Pest Elimination. Infestation. Structures shall be kept free from insect and rodent infestation. Structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation. Owner. The owner of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure. Single occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for pest elimination on the premises. Multiple occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for pest elimination. Occupant. The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure. Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for pest elimination.</p> <p>Rodents carry disease organisms in their feces and on their bodies. The code official must require the extermination of all rodents by approved processes. All harborage areas should be eliminated by removing piles of rubbish, towing or repairing inoperable cars and cutting back weeds. Garbage should be stored in solid containers with tight fitting lids and disposed of regularly.</p>
Sec. 17-157.	<p>Sec. 17-157. - Light.</p> <p>(a)Habitable spaces. Every habitable space shall have at least one (1) window of approved size facing directly to the outdoors or to a court.(b)Common halls and stairways. Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be well-lighted at all times. In occupied buildings other than residential occupancies, interior and exterior means of egress, including stairways, shall be illuminated at all times at floors, landings, and treads.(c)Other spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.(d)Exterior lighting. Exterior illumination must be operational.</p>	<p>Habitable spaces. Every Habitable space shall have not less than one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room. Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining shall be not less than 8 percent of the floor area of the interior room or space, or not less than 25 square feet (2.33 m²), whichever is greater. The exterior glazing area shall be based on the total floor area being served. Common halls and stairways. Every common hall and stairway in residential occupancies, other than in one and two-family dwellings, shall be lighted at all times with not less than a 60-watt standard incandescent light bulb for each 200 square feel (19 M²) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, interior and exterior means of egress, stairways shall be illuminated at all times the building space served be the means of egress is occupied with not less than 1 footcandle (11 lux) at floors, landings, and treads. Other spaces. Other spaces shall be provided with natural or artificial</p>
Sec. 17-158.	<p>Sec. 17-158. - Ventilation.</p> <p>(a)Habitable spaces. Every habitable space shall have at least one (1) openable window. The total openable area of the window in every room shall be equal to at least forty-five (45) percent of the minimum glazed area required in section 17-157(a). Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight (8) percent on the floor area of the interior room or space, but not less than twenty-five (25) square feet. The ventilation openings to the outdoors shall be based on a total floor area being ventilated.(b)Bathrooms and toilet room</p>	<p>No suggested change at this time.</p>
Sec. 17-159.	<p>Sec. 17-159. - Occupancy limitations.</p> <p>Overcrowding. The number of persons occupying a dwelling unit shall not create conditions that endanger the life, health, safety or welfare of the occupants, or otherwise violate the terms of the article.</p>	<p>No suggested change at this time.</p>

Sec. 17-160.	<p>Sec. 17-160. - Required facilities.</p> <p>Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink, each of which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.</p>	No suggested change at this time.
Sec. 17-161.	<p>Sec. 17-161. - Major appliances.*</p> <p>If major appliances are provided in rental units, they shall be maintained in operable condition. If provided major appliances become in need of repair, a reasonable length of time will be allowed for the landlord to make the required repairs to said appliance.</p>	No suggested change at this time.
Sec. 17-162.	<p>Sec. 17-162. - Plumbing systems and fixtures.</p> <p>All plumbing fixtures, facilities, and systems shall be maintained and connected in compliance with the adopted codes of the City of Denton, so as not to pose any health or sanitation hazard.</p> <p>All occupied areas and all plumbing equipment and facilities shall be maintained in a clean, sanitary, and safe condition at all times, and all connected plumbing fixtures and heating equipment shall be maintained in compliance with applicable laws. Owners or managers shall take immediate action to clear stoppages and partial blockages of all sanitary sewer systems. Within twenty-four (24) hours after notice of a malfunctioning sewer system, properly functioning sewer service shall be reinstated. However, if a city permit is required due to the extent of the repairs, a properly functioning sewer service shall be installed in a reasonable period of time in light of the required repairs.</p>	No suggested change at this time.
Sec. 17-163.	<p>Sec. 17-163. - Water system.</p> <p>All plumbing fixtures shall be properly connected to plumbing systems as required by adopted codes and ordinances of the City of Denton, be maintained so as not to pose any health or sanitation hazard, and be provided with both hot and cold running water.</p> <p>(a)Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.</p>	No suggested change at this time.
Sec. 17-164.	<p>Sec. 17-164. - Sanitary drainage system.</p> <p>All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system. All plumbing fixtures shall be connected to an approved water supply system and provided with hot and cold running water necessary for normal operation. All plumbing fixtures shall be of an approved glazed earthenware type or a similarly nonabsorbent material.</p> <p>Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.</p>	No suggested change at this time.
Sec. 17-165.	<p>Sec. 17-165. - Storm drainage.</p> <p>Drainage of roofs, paved areas, yards, courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.</p> <p>(Ord. No. 2010-132, § 1, 5-11-10)</p>	No suggested change at this time.

Sec. 17-166.	<p>Sec. 17-166. - Mechanical facilities. Heating and air conditioning facilities shall be maintained in structures as required by this article.</p> <p>(a)Heating. Every dwelling unit and guest room shall be provided with heating facilities capable of maintaining a room temperature of 68° Fahrenheit at a point three (3) feet above the floor in all habitable rooms. Such facilities shall be maintained in a safe condition and in accordance with the adopted building code, the adopted mechanical code and all other applicable laws. Unvented fuel-burning heaters shall not be permitted as the sole source of heating for any room or space. All heating devices or appliances shall be of an approved type, and at no time, shall cooking appliances be used to provide space heating to meet the requirements of this article.(b)Air conditioning. If refrigerated air equipment is provided in rental units, it shall be maintained in operable condition and must be capable of maintaining a maximum inside temperature that is 20° lower than the outside temperature or 81° F, whichever is warmer, in each room of a structure intended for human occupancy from May 1 through October 1. If provided refrigerated air equipment becomes in need of repair, a reasonable length of time will be required to allow for repair of said equipment. If no refrigerated air equipment is provided then screens shall be provided on all operable windows (c)Employee work spaces. Indoor</p>	No suggested change at this time.
Sec. 17-167.	<p>Sec. 17-167. - Mechanical equipment.</p> <p>(a)Mechanical appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.(b)Removal of combustion products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent. Fuel-burning equipment and appliances which are labeled for unvented operation are excepted from this requirement.(c)Clearances. All fuel burning equipment shall be provided and maintained with all required clearances to combustible materials, as required by chapters 28 and 29, and by manufacturer specifications.(d)Safety controls. All safety controls for fuel-burning equipment shall be maintained in effective operation.(e)Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.(f)Additional devices. Any modification or connection of additional devices to a fuel burning appliance, its fuel supply, or its venting system shall be made using products that are listed and labeled for the specific application and shall be specifically approved by the code official. (Ord. No. 2010-132, § 1, 5-11-10)</p>	No suggested change at this time.
Sec. 17-168.	<p>Sec. 17-168. - Electrical facilities. Every structure provided with an electrical system shall be maintained in safe operating condition, and compliant with the requirements of this article and all other adopted codes of the City of Denton.</p> <p>(a)Electrical service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the National Electric Code. Dwelling units shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than sixty (60) amperes, or other service approved by the code official. (b)</p>	No suggested change at this time.
Sec. 17-169.	<p>Sec. 17-169. - Electrical equipment.</p> <p>(a)Installation. All electrical equipment, wiring and appliances shall be installed and maintained in safe operating condition. All electrical equipment shall be listed and labeled for the proposed use.(b)Receptacles. Every habitable room shall contain at least two (2) supplied electrical convenience outlets or one (1) convenience outlet and one (1) supplied electrical light fixture. Every bathroom, laundry room, interior stairway, kitchen, boiler room, furnace room, and public hallway shall contain at least one (1) supplied electric light fixture. Electrical circuits and outlets shall be maintained in a safe operating condition and shall be sufficient to safely carry a load consistent with the standards contained in the version of the National Electrical Code most recently adopted by the city. Ground-fault circuit-interrupter protected receptacles shall be provided in the following locations:</p>	No suggested change at this time.

Sec. 17-170.	<p>Sec. 17-170. - Elevators, escalators and dumbwaiters.</p> <p>Elevators, dumbwaiters and escalators shall be maintained in compliance with the American Society of Mechanical Engineers (ASME) A17.1. The most current certification of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, or the certificate shall be available for public inspection in the office of the building operator. The inspection and tests shall be performed at not less than the periodical intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.</p> <p>In buildings equipped with passenger elevators, at least one (1) elevator shall be maintained in operation at all times when the building is occupied. Buildings equipped with only one (1) elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.</p> <p>This section does not apply to single-family dwellings.</p>	No suggested change at this time.
Sec. 17-171.	<p>Sec. 17-171. - Duct systems.</p> <p>Intake and exhaust air ducts shall be maintained in such a manner as to prevent the entrance of dust, dirt, and any other contaminating materials.</p>	no change at this time
Sec. 17-172.	<p>Sec. 17-172. - Means of egress.</p> <p>A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code, the International Building Code, or be approved by the building official or fire official.</p> <p>(a)Aisles. The width of aisles required by the International Fire Code, the International Building Code or approved by the building official or fire official shall remain unobstructed at all times.(b)Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to the International Building Code or is permitted by the building official or fire official.</p>	No suggested change at this time.
Sec. 17-173.	<p>Sec. 17-173. - Fire-resistance ratings.</p> <p>(a)Fire-resistance-rated assemblies. The required fire resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.(b)Opening protectives. Required opening protectives shall be maintained in an operative condition. All fire and smoke stop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.</p>	No suggested change at this time.
Sec. 17-174.	<p>Sec. 17-174. - Fire protection systems.</p> <p>All systems, devices, and equipment to detect a fire, smoke, actuate an alarm, or to suppress or control a fire, or any combination thereof, shall be provided and maintained in operable condition at all times in accordance with the adopted International Fire Code.</p> <p>(a)Smoke alarms. All single or multiple-station smoke alarms, regardless of occupancy type or occupant load, shall be maintained in operable condition at all times in the following locations:(1)On the ceiling or wall outside of each separated sleeping area in the immediate vicinity of bedrooms and in each room used for sleeping purposes.(2)In all dwellings or dwelling units with open, split levels that do not have a door between the levels,</p>	No suggested change at this time.
<i>Secs. 17-175—17-179. - Reserved.</i>		
c. DIVISION 3. - DANGEROUS STRUCTURES (DB)		

Sec. 17-180.	Sec. 17-180. - Securing vacant structures. No owner or person having charge of any unoccupied building or structure within the city shall leave said building or structure unlocked, unboarded or otherwise unsecured so that unauthorized persons may enter said building or structure. An unsecured building or structure shall constitute prima facie evidence of a condition of immediate danger to the building or structure and adjoining buildings or structures, and the code official shall immediately notify the owner of said unsecured building or structure to secure the same, and if said building or structure is not secured within seventy-two (72) hours after the date of issuance of notice to the owner or person in charge of the building or structure, the code official is authorized to secure the building or structure at the expense of the owner or person in charge of said building or structure, the cost of expense of the work required to secure such building or structure to be charged against the owner of the property as provided by state law.	Unsafe structures and equipment. When a structure of equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code. Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, health property or safety of the public or occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible. Structure unfit for human occupancy. Dangerous structure or premises.
Sec. 17-181.	Sec. 17-181. - Conditions or defects constituting dangerous structure. (a)For the purpose of this chapter, any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be a dangerous building or structure and a public nuisance, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered, as defined by this chapter or state law.(1)Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size, as defined in section 17-173, or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.(2)Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.	Demolition. The code official shall order the owner or owner's authorized agent of any premises upon which is located any structure, which in the code official's or owner's authorized agent judgement after review is so deteriorated or dilapidated or has become so out of repair as the be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner or owner's authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official. Notices and orders. Notices and orders shall comply with DPMC. Failure to comply. If the owner of a premises or owner's authorized agent fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate. Salvage materials. Where any structure has been ordered demolished and removed, the governing body or other designated officer under said
Sec. 17-182.	etc. 17-182. - Alterations, additions and repairs. All buildings or structures that are required to be repaired under the provisions of this chapter shall be subject to those provisions of chapters 28 and 29 which are in effect at the time of the repairs. (Ord. No. 2010-132, § 1, 5-11-10)	No suggested change at this time.
Sec. 17-183.	Sec. 17-183. - Notices and orders of code official. (a)Notice to property owner. Whenever the code official determines that there has been a violation of this division or has grounds to believe that a violation has occurred, notice shall be given to the property owner in the manner prescribed in section 17-144(f) and (g) for the violation. The notice and order shall:(1)Inform the property owner of the right to appeal, specifically:(i)That any person having recorded title or legal interest in the building or structure may appeal from the notice and order or any action of the code official to the health and building standards commission, provided the appeal is made in writing as provided in this chapter and filed with the building official within thirty (30) days from the date of service of such notice and order; and(ii)That failure to appeal will constitute a waiver of all rights to an administrative hearing and termination of the matter.(2)Include a statement of the city's right to file a lien.	No suggested change at this time.
Sec. 17-184.	Sec. 17-184. - Recordation of notice and order by the building official. If compliance with a notice and order described by section 17-183 is not secured within the time specified therein, and no appeal has been properly and timely filed, the building official may file in the deed records of the office of the county clerk a certificate describing the property, and certifying that the building or structure has been determined to be a dangerous building or structure by the building official and that the owner has been so notified. Whenever the corrections ordered shall thereafter be completed or the building or structure demolished so that it no longer exists, the building official shall file a new certificate with the county clerk certifying that the building or structure has been demolished or that all required corrections have been made so that the building or structure is no longer dangerous, whichever is appropriate.	No suggested change at this time.
Sec. 17-185.	Sec. 17-185. - Emergency measures authorized by the building official. (a)Temporary safeguards. Notwithstanding other provisions of this division, whenever, in the opinion of the building official, there is imminent danger due to an unsafe condition, the building official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the building official deems necessary to meet such emergency.(b)Closing streets. When necessary for public safety, the building official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures and prohibit the same from being utilized.	No suggested change at this time.

Sec. 17-186.	Sec. 17-186. - Termination of utility services. (a)The building official may initiate termination of utility services, or place a hold on reconnecting or reinstituting utility services that have been terminated to a dwelling unit that is substandard, dangerous, or unfit for human occupancy by certifying in writing that the dwelling unit is substandard, dangerous, unfit for human occupancy, or that the electrical system constitutes a hazard to the occupants.(b)Upon initiating a utility termination or hold, the building official shall promptly notify the owner by written notice. The owner may appeal the decision of the building official to the health and building standards commission by serving the building official with a written notice within five (5) days from the date the notice was issued.	No suggested change at this time.
Sec. 17-187.	Sec. 17-187. - Appeals from orders of building official. (a)Form of appeal. Any person entitled to service of a notice issued pursuant to section 17-183 may appeal from any notice and order or any action of the code official under this division by filing at the office of the building official a written appeal and filing fee as determined by the city council and on file in the office of the city secretary. The appeal shall contain the following:(1)A heading in the words: "Before the Health and Building Standards Commission of the City of Denton, Texas";(2)A caption reading: "Appeal of _____," giving the names of all appellants participating in the appeal;(3)A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the notice and order;	No suggested change at this time.
Sec. 17-188.	Sec. 17-188. - Scope of hearing on appeal. Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal as provided in this division.	No suggested change at this time.
Sec. 17-189.	Sec. 17-189. - Staying of order under appeal. Except for vacation orders made pursuant to section 17-190(a)(3), enforcement of any notice and order of the code official issued under this division shall be stayed during the pendency of an appeal therefrom which is properly and timely filed.	No suggested change at this time.
Sec. 17-190.	Sec. 17-190. - Order to repair, vacate, remove or demolish. The following standards shall be followed by the building official or by the health and building standards commission regarding any order to repair, vacate, remove or demolish substandard or dangerous buildings or structures: (a)When, in the opinion of the building official;(1)There is imminent danger of failure or collapse of a building or structure which endangers life;(2)When any structure or part of a structure has fallen and life is endangered by the occupation of the structure; or(3)When there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the building official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith.	No suggested change at this time.
Sec. 17-191.	Sec. 17-191. - Public hearing required for order of demolition. (a)Hearing required. In cases where the building official has determined that a building or structure should be demolished, a public hearing before the health and building standards commission shall be held, regardless of whether or not an appeal from such determination has been filed by any person.(b)Diligent effort must be made to locate the owner, lien holder, or a mortgagee on the property. Diligent effort is met if the city follows the procedures of V.T.C.A., Local Government Code §§ 54.035 or 214.001, as amended.(c)Notice of hearing. Notice of the hearing shall be given as in cases where an appeal has been filed. In addition, the secretary of the commission shall cause a notice to be published in the official newspaper of city at least ten (10) days prior to the scheduled hearing date. The published notice shall be directed to any person having any interest in the property, stating the names of such persons, if known. The notice shall include the following:	No suggested change at this time.
Sec. 17-192.	Sec. 17-192. - Compliance. (a)General. After any order of the building official or the health and building standards commission made pursuant to this division shall have become final, no person to whom any such order is directed shall fail, neglect or refuse to obey any such order. Any such person who fails to comply with any such order is subject to all penalties of law and this chapter.(b)Failure to obey order. If after any order of the building official or health and building standards commission made pursuant to this division has become final, the person to whom such order is directed shall fail, neglect or refuse to obey such order, the building official may (i) cause such person to be prosecuted under this section; and/or (ii) institute any appropriate action to abate such building or structure as a public nuisance.	No suggested change at this time.
Sec. 17-193.	Sec. 17-193. - Performance of demolition. When any demolition is to be done pursuant to this division, the code official shall cause the work to be done by city personnel or by private contractor under the supervision of the code official. All contracts for demolition work shall be entered into pursuant to procedures specified by ordinance or state law.	No suggested change at this time.

Sec. 17-194.	<p>Sec. 17-194. - Salvage materials.</p> <p>When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and any valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, to the person who is entitled thereto. If such a surplus does not remain to be turned over, the report shall so state.</p>	No suggested change at this time.
Sec. 17-195.	<p>Sec. 17-195. - Recovery of remedial costs.</p> <p>The code official shall send an invoice to the owner of the premises requesting payment of the securing or demolition costs within thirty (30) days of the date of the invoice. Any such assessment remaining unpaid after thirty (30) days from the date the invoice was sent to the owner of the premises shall become delinquent and shall bear interest at ten (10) percent per annum. The amount of the assessment shall be subject to the same procedure and sale in case of delinquency as provided by the laws of the state for real property taxes. The code official shall keep an itemized account of the expense incurred by the city in the securing or demolition of any building or structure done pursuant to this division, and the entire costs of securing or demolition, less any salvage value recovered, shall be levied, assessed and collected by the office of the code official. Upon completion of the securing or demolition, a privileged lien, second only to tax liens and liens for street improvements, may be filed and perfected against the property on which the demolition occurred. The cost levied against the property may include an administrative fee as established by the city council and filed in the office of the city secretary.</p>	No suggested change at this time.
Sec. 17-196.	<p>Sec. 17-196. - Penalty provision.</p> <p>Any person violating any provision of Articles I through XII of the Denton Property Maintenance Code shall, upon conviction, be fined a sum not to exceed five hundred dollars (\$500.00). If any person has been convicted or received a deferred adjudication for two (2) or more violations of this chapter and at least two (2) of the violations have different offense dates and occurred on the same property, the person shall be considered a chronic offender upon the third conviction on the same property within twenty-four (24) months of the first violation. Any person violating any provision of Articles I through XII of the Denton Property Maintenance Code as a chronic offender shall, upon conviction, be fined a sum not less than three hundred dollars (\$300.00) and not to exceed five hundred dollars (\$500.00).</p> <p>Any person violating any provision of Article XIII of the Denton Property Maintenance Code shall, upon conviction, be fined a sum not to exceed two thousand dollars (\$2,000.00). If any person has been convicted or received a deferred adjudication for two (2) or more violations of this chapter and at least two (2) of the violations have different offense dates and occurred on the same property, the person shall be considered a chronic offender upon the third conviction on the same property within twenty-four (24) months of the first violation.</p>	No suggested change at this time.
Review of Chapter 18 – Motor Vehicles and Traffic		
1. ART VII. - VIEW AND PASSAGE OBSTRUCTIONS		
Sec. 18-196.	<p>Sec. 18-196. - Definitions.</p> <p>The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:</p> <p>Intersection visibility triangle means a triangle sight area at all intersections which shall include that portion of public right-of-way and any corner lot within a triangle formed by a diagonal line extending through points on the two (2) property lines twenty-five (25) feet from the street corner intersection of the property lines or that point of the intersection of the property lines extended and intersecting the curb lines.</p> <p>Parkway means any property which the city, by deed, dedication, gift, prescription or easement, owns or holds for public use and lying between the private property lines of property abutting on any street and the curb lines or grade lines of the street.</p>	No suggested change at this time.
Sec. 18-197.	<p>Sec. 18-197. - Prohibited within intersection visibility triangle.</p> <p>It shall be unlawful to set out, maintain or permit to be set out or maintained any fence, wall, hedge, shrub, plant, tree, sign or other view obstruction having a height greater than two (2) feet, as measured from the top of the curb of the abutting streets within the intersection visibility triangle, or if no curb exists, two and one-half (2½) feet from the top of the edge of the traveled portion of the roadway within the intersection visibility triangle. This restriction shall not apply to permanent structures authorized by the zoning ordinance or to traffic-control signs and signals or utility facilities placed within such an area by authority of the city council.</p>	No suggested change at this time.

Sec. 18-198.	Sec. 18-198. - Prohibited within parkway areas. It shall be unlawful to set out, maintain or permit or cause to be set out or maintained any tree, shrub or plant within any parkway area, other than within the intersection visibility triangle which exceeds two (2) feet in height above curb level. This prohibition shall not apply to trees within the parkway area which are trimmed at all times so that no branch is less than seven (7) feet above curb level or, if no curb exists, seven and one-half (7½) feet above the traveled portion of the roadway and which are planted no less than twenty-five (25) feet apart; provided, however, such trees shall not interfere with the free passage of vehicles on the street or of pedestrians on the sidewalk or obscure the view of motor vehicle operators of any traffic-control device or street sign or otherwise create a traffic hazard.	No suggested change at this time.
<i>Secs. 18-199—18-209. - Reserved.</i>		
Review of Chapter 24 – Solid Waste		
1. ART I. - IN GENERAL		
Sec. 24-1.		
Sec. 24-2.		
Sec. 24-3.		
Sec. 24-4.		
Sec. 24-5.		
Sec. 24-6.		
Sec. 24-7.		
Sec. 24-8.		
Sec. 24-9.		
Sec. 24-10.		
Sec. 24-11.		
Sec. 24-12.		
Sec. 24-13.		
2. ART II. - RESIDENTIAL COLLECTION SERVICE		
Sec. 24-41.		
Sec. 24-42.		
Sec. 24-43.		
Sec. 24-44.		
Secs. 24-45—24-65. - Reserved.		



DPMC Chapter 17 Updates

DATE: June 8th, 2023

ID#HBS23-005

DPMC REVISION PURPOSE

- The Denton Property Maintenance Code (DPMC) Chapter 17 needs to be reviewed in order to ensure that the needs of the community are being met and that the codes are clear and concise.
- Community Improvement Services have reviewed each section and using the most up to date IPMC manual (2021) and our departments combined experience have created a DPMC Matrix with recommended updates.

DPMC CH. 17 PROPOSED REVISION PLAN

- Review each section of Chapter 17 in groups of similar types.
 - Sections suggested for **deletion**.
 - Sections with minimal or **no changes**.
 - Sections that are only **IPMC updates**.
 - Sections with **major changes**.
- Our goal is to create a final revised proposal of the DPMC Chapter 17 Ordinance by June 8th, 2024.

DPMC DELETION

- Section: 17-20 Noise and Odors (Police Department)
- Section: 17-30 Take Possession of Abandoned Vehicles (Police Department)
- Section: 17-31 Notification of Abandoned Vehicles (Police Department)
- Section: 17-32 Auction of Abandoned Vehicles (Police Department)
- Section: 17-33 Demolition of Abandoned Vehicles (Police Department)
- Section: 17-36 Disposal of Junked Vehicles (Police Department)
- Section: 17-81 Applicability of other laws regarding fences
- Section: 17-110 Failure of owner to comply with chapter provisions; issuance of notice.

DPMC DELETION CONT.

- Section: 17-111 Service of Notice
- Section: 17-123 Exception
- Section: 17-124 Imposition of civil penalty for applying, permitting, or allowing graffiti.
- Section: 17-141 Purpose
- Section: 17-142 Applicability
- Section: 17-143 Enforcement
- Section: 17-145 Buildings declared public nuisances
- Section: 17-146 Approval

DPMC NO CHANGES

- Section 17-35 Procedure for abating nuisance; exception
- Section 17-37 Enforcement
- Section 17-60 Outside Storage
- Section 17-61 Outside Display
- Section 17-62 Solid Waste Container Maintenance
- Section 17-70 Stagnant Water
- Section 17-90 Temporary Carports and/or Auto Shade Covers Prohibited
- Section 17-100 Vehicles for Sale
- Section 17-101 Parking Nuisances
- Sections 17-112 City May Correct Violation

DPMC NO CHANGES CONT.

- Section 17-120 City Requirements
- Section 17-122 Owner Responsibility
- Section 17-144 Enforcement
- Section 17-150 Minimum Standards for Continued use and Occupancy
- Section 17-151 Criteria for Establishing Minimum Standards
- Section 17-158 Ventilation
- Section 17-159 Occupancy Limitations
- Section 17-160 Required Facilities
- Section 17-161 Major Appliances
- Section 17-162 Plumbing Systems and Fixtures

DPMC NO CHANGES CONT.

- Section 17-163 Water System
- Section 17-164 Sanitary Drainage System
- Section 17-165 Storm Drainage
- Section 17-166 Mechanical Facilities
- Section 17-167 Mechanical Equipment
- Section 17-168 Electrical Facilities
- Section 17-169 Electrical Equipment
- Section 17-170 Elevators, Escalators and Dumbwaiters
- Section 17-171 Duct Systems
- Section 17-172 Means of Egress

DPMC NO CHANGES CONT.

- Section 17-173 Fire-Resistance Ratings
- Section 17-174 Fire Protection Systems
- Section 17-183 Notices and Orders of Code Official
- Section 17-184 Recordation of Notice and Order by the Building Official
- Section 17-185 Emergency Measures Authorized by the Building Official
- Section 17-186 Termination of Utility Services
- Section 17-187 Appeals from Orders of Building Official
- Section 17-188 Scope of Hearing on Appeal
- Section 17-189 Staying of Order Under Appeal

DPMC NO CHANGES CONT.

- Section 17-190 Order to Repair, Vacate, Remove or Demolish
- Section 17-191 Public Hearing Required for Order of Demolition
- Section 17-192 Compliance
- Section 17-193 Performance of Demolition
- Section 17-194 Salvage Materials
- Section 17-195 Recovery of Remedial Costs
- Section 17-196 Penalty Provision

DPMC MINOR CHANGES

- Section 17-2 Definitions.
- Section 17-3 Enforcement
- Section 17-21 Odors
- Section 17-121 Declaration of Public Nuisance

DPMC IPMC UPDATES

- Section 17-1 Purpose and Intent
- Section 17-34 Inoperable Vehicles, Inoperable Motor Vehicles, Junked Vehicles Declared Public Nuisance; Maintaining Public Nuisance Prohibited
- Section 17-50 Trash and Debris Declared a Nuisance and Prohibited
- Section 17-152 Exterior Premises
- Section 17-153 Exterior Structure
- Section 17-154 Interior Structure
- Section 17-155 Handrails and Guardrails
- Section 17-156 Extermination
- Section 17-157 Light
- Section 17-180 Securing Vacant Structures
- Section 17-181 Conditions or Defects Constituting Dangerous Structure

DPMC MAJOR CHANGES

- Section 17-40 Grass or Weeds in Excess of Twelve (12) Inches in Height Declared a Nuisance and Prohibited
- Section 17-80 Maintenance of Perimeter Fences

DPMC REVISION PROPOSED TIMELINE

- July 13th Start review with sections recommended for deletion.
- August 10th Continue review with sections recommended for deletion.
- September 14th Start review with sections recommended for no change.
- October 12th Continue review with sections recommended for no change.
- November 9th Start review with sections recommended for minor change.
- December 14th Continue review with sections recommended for minor change.
- January TBD Start review of sections being updated to 2021 IPMC.
- February TBD Continue review of sections being updated to 2021 IPMC.
- March TBD Start review of sections recommended for major change.
- April TBD Continue review of sections recommended for major change.
- May TBD Recap of suggested updates to DPMC and finalize for next steps.

COMMUNITY ENGAGEMENT PLAN

- Staff will also host at least two meetings open to the public to review the proposed changes and one City Council meeting public hearing prior to submitting any updates to City Council for approval.
- In addition, staff will provide ongoing opportunities for the public to provide comment through:
 - Community Survey, Neighborhood Meetings, Discuss Denton, Phone, Email and In Person.