

CITY OF SANDY OAKS, TEXAS

ORDINANCE 2020-155

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS ESTABLISHING THE POSITION OF BUILDING INSPECTOR, PROVIDING FOR THE AUTHORITY AND DUTIES OF THE BUILDING INSPECTOR, AND OTHER MATTERS RELATED THERETO.

WHEREAS, Section 214.001 of the Local Government Code, as amended, authorizes municipalities to regulate substandard and dangerous structures; and

WHEREAS, the City Council of the City of Sandy Oaks ("City") has in Ordinance 2016-60 adopted Chapter 214, Subchapter A, Local Government Code, as amended, setting minimum standards for the continued use and occupancy of all buildings within the City; and

WHEREAS, under Ordinance 2016-60 a Building Official or their designee is an Enforcement Officer with duties prescribed by said ordinance; and

WHEREAS, the City Council finds it necessary to establish the position of Building Inspector to act as the Building Official/Enforcement Officer to protect the public health, safety and welfare of its citizens;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS AS FOLLOWS:

SECTION 1. FINDINGS OF FACT. The recitals set forth above in this ordinance are true and correct and are hereby adopted as findings of the City Council and are incorporated into the body of this ordinance as if fully set forth herein.

SECTION 2. BUILDING INSPECTOR ESTABLISHED. It is hereby created the position of Building Inspector for the City who shall be appointed by the City Administrator, or in the absence of the City Administer, the Mayor. The Building Inspector shall be the Building Official of the City and shall also be known as the Code Enforcement Officer or Enforcement Officer. The Building Inspector shall be a person professionally competent by experience and training to enforce municipal code violations and perform building inspections pursuant to City ordinances and state law.

SECTION 3. AUTHORITY OF BUILDING INSPECTOR.

- (A) **General authority.** The Building Inspector shall be the official building inspector for the City. He or she perform the duties and functions of the Building Inspector, Building Official, and Code Enforcement Officer of the City as authorized by City ordinances and shall perform said duties at the same charges and rates established by City ordinances.
- (B) **Enforcement.** It shall be the duty of the Building Inspector to enforce all laws relating the construction, alteration, removal and demolition of buildings and structures. The Building Inspector may enforce all laws related to the regulation of buildings or structures within the City.
- (C) **Authority to enter building.** The Building inspector, in the discharge of his or her official duties and upon proper identification, shall have the authority to enter any building, structure, or premises at a reasonable hour where evidence of danger or health hazard to life or property exists.

SECTION 4. DUTIES OF BUILDING INSPECTOR. The Building Inspector shall perform the following duties:

- (A) All those duties identified in Ordinance No. 2016-60, as amended, specifically Section 3, which are incorporated by reference hereto.
- (B) Supervise and administer all City codes related to the regulation of buildings and structures identified in ordinances of the City.
- (C) Supervise and administer code enforcement policies, rules and regulations of the City.
- (D) Keep records of permit applications, issuances and denials, plan reviews, inspections, and certificate of occupancy applications, issuance and denials. The Building Inspector shall keep records of violations and any other records necessary to enforce any City code and building regulations he or she is authorized to enforce.
- (E) Perform such other duties as may be required by the City Administrator.
- (F) Issue Notices of violations to individuals or entities for violation of municipal ordinance, state law, or any other building regulation, administrative rule, or other law, which the Building Inspector may lawfully enforce.
- (G) The Building Inspector is authorized to enter and shall have the right and duty to enter private property to examine a public nuisance, to obtain information to identify the nuisance, and to remove or direct the removal of a nuisance.
- (H) The Building Inspector is authorized to issue notices of violations of municipal ordinances and state law.

SECTION 5. LIABILITY OF CITY OFFICIALS. Any official, officer, or employee charged with code enforcement, who acts on behalf of the City Council or the City in the discharge of his or her duties, shall not render him/herself personally liable for any damages which may accrue to persons or property as a result of an action committed in good faith in the discharge of his or her duties. Any suit brought against any official, officer, or employee by reason, therefore, shall be defended by an attorney for the City until final determination of such proceedings.

SECTION 6. CITY LIABILITY; RESPONSIBILITY FOR COMPLIANCE.

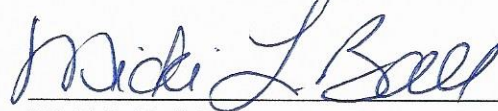
- (A) This ordinance shall not be construed as imposing upon the City or any of its officials, officers, or employees any liability or responsibility for damages to any person injured or property damaged by any defect in any building or structure, or by installation therefore, nor shall the City or any official, officer, or employee therefor be held as assuming any such liability or responsibility by reason of the inspection authorized under this ordinance or any City ordinance related to the regulation of buildings or structures or permit or the certificate of occupancy issued by the City.
- (B) The owner of the premises, the contractor, and all other persons affiliated with a subject property shall be obligated to see that all matters, things, and acts to which the enforcing ordinance and permits or certificates relate shall conform to the regulations of the City and ordinances and regulations of the City's related to buildings and structures.

SECTION 7. SEVERABILITY. If any portion of this ordinance shall, for any reason be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof or any other ordinance of the City related to building and structures and the Council hereby determines that it would have adopted this ordinance without the invalid provision.

SECTION 8. EFFECTIVE DATE. This ordinance shall take effect immediately from and after its passage and approval.

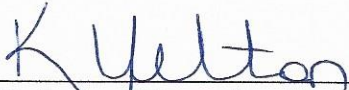
PASSED AND APPROVED on this 9th day of January, 2020.

CITY OF SANDY OAKS, TEXAS

A handwritten signature in blue ink that reads "Micki L. Ball". The signature is written in a cursive style and is positioned above a horizontal line.

Micki L. Ball, Mayor

ATTEST:

A handwritten signature in blue ink that reads "K. Yelton". The signature is written in a cursive style and is positioned above a horizontal line.

Katherine Yelton, City Clerk