

CITY OF SANDY OAKS, TEXAS

ORDINANCE NO: 2021-194

AN ORDINANCE AMENDING ORDINANCE NO. 2015-20 ESTABLISHING THE POSITION OF CODE ENFORCEMENT OFFICIAL; PROCEDURES FOR APPOINTMENT; TENURE, VACANCY, COMPENSATION; DUTIES; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER DETAILS RELATING TO THE PASSAGE OF THIS ORDINANCE.

WHEREAS, Sections 54.001 of the Texas Local Government Code authorizes the governing body of a municipality to enforce each rule, ordinance, or police regulation of the municipality and may punish a violation of a rule, ordinance, or police regulation, and;

WHEREAS, in accordance with Sections 22.071 and 22.072 of the Texas Local Government Code, the City Council of the City of Sandy Oaks adopted Ordinance No. 2015-20 establishing the office of Code Enforcement Officer; and

WHEREAS, the City Council of the City of Sandy Oaks has determined that it is in the interest of the public health, safety and welfare that the position of Code Enforcement Official be established;

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

SECTION 1. PREAMBLES INCORPORATED

The facts and matters set out above in the recitations are found to be true and correct.

SECTION 2. POSITION OF CODE ENFORCEMENT OFFICIAL ESTABLISHED; ALTERNATE REFERENCE; ASSIGNMENT

- a. The position of Code Enforcement Official is hereby established.
- b. A Code Enforcement Official may also be known as a Code Compliance Official.
- c. A Code Enforcement Official shall serve under the direct supervision and command of the Chief of Police.

SECTION 3. APPOINTMENT; QUALIFICATION; NUMBER OF CODE ENFORCEMENT OFFICIALS

- a. Code Enforcement Officials will be nominated by the Chief of Police, subject to an affirmative vote of the City Council.
- b. Code Enforcement Officials may be required to take training provided or specified by the Chief of Police prior to performing his/her duties as Code Enforcement Official.

- c. The number of Code Enforcement Officials shall be determined by the City Council and shall be consistent with budgetary authorizations and requirements for code enforcement personnel within the department.

SECTION 4. TERM OF CODE ENFORCEMENT OFFICIAL

The Code Enforcement Official shall serve for such a term that the Mayor may desire.

SECTION 5. COMPENSATION OF CODE ENFORCEMENT OFFICIAL

The compensation of Code Enforcement Officials shall be as from time to time determined by the City Council.

SECTION 6. GENERAL DUTIES OF THE CODE ENFORCEMENT OFFICIAL

The Code Enforcement Official shall:

- a. protect the life, health, property, safety and welfare of the public by executing the enforcement of city ordinances, state laws, and applicable codes as they pertain to areas of nuisance, illegal signage, high grass/weeds, junk/debris/trash, inoperable vehicles, dangerous or substandard buildings, illegal dumping, and land use regulations.
- b. assist citizens by directing them to the proper County, State or Federal agencies for services and work with citizens on a daily basis to resolve code violations that impact the health and safety of citizens.
- c. investigate all violation complaints and work with the private property owners to gain compliance when violations are found or reported.
- d. issue a notice of violation on behalf of the City in cases where there is an alleged ordinance violation which may include the following: (1) the text of the ordinance being violated; (2) the conduct that violates the ordinance; (3) how to come into compliance with the ordinance; (4) the period of time in which the alleged violator may rectify the alleged violation; and (5) a statement that, if the situation is not brought into compliance within the period of time specified, a complaint will be filed in municipal court.
- e. perform his/her duties with impartiality, consistency and due process of law.
- f. any other duties as provided by the Code Enforcement Policy Manual as adopted or authorized by City Council.

SECTION 7. REMOVAL

A Code Enforcement Official may be removed or terminated in the same manner as an employee of the City as outlined in the City's Personnel Policies Manual as adopted or authorized by City Council.

SECTION 8. SEVERABILITY

If any section, paragraph, sentence, clause, phrase or word of this ordinance of the application thereof to any person or circumstance is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portion of this ordinance, and the City Council hereby declares that it would have passed such remaining portions despite invalidity or unconstitutionality.

SECTION 9. AMENDMENT OR REPEAL

A two-thirds (2/3) vote of the City Council shall be required to amend, abolish or supersede this ordinance.

PASSED, APPROVED AND ADOPTED THIS 9TH DAY OF DECEMBER 2021.

CITY OF SANDY OAKS, TEXAS



Micki L. Ball, Mayor

ATTEST:



Charlotte Rabe, City Clerk