

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS**

**ORDINANCE NO. 2017-1470**

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS AMENDING THE CODE OF ORDINANCES BY REPEALING CHAPTER 15 ARTICLE 15-14, “PROPERTY MAINTENANCE CODE”, IN ITS ENTIRETY, AND REPLACING IT WITH THE ADOPTION OF A NEW ARTICLE 15-4, “PROPERTY MAINTENANCE CODE”, TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2015 EDITION, AS THE CITY OF COPPELL PROPERTY MAINTENANCE CODE; PROVIDING AMENDMENTS TO THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2015 EDITION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY FOR VIOLATION OF THIS ORDINANCE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; EXCEPT HOWEVER, WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE OR LAW FOR SUCH OFFENSE WHICH IS A VIOLATION OF PROVISION OF LAW THAT GOVERNS FIRE SAFETY, ZONING, OR PUBLIC HEALTH AND SANITATION, INCLUDING DUMPING OF REFUSE, THE PENALTY SHALL BE A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1.** That the Code of Ordinances of the City of Coppel Texas be and the same is hereby amended by repealing Chapter 15, Article 15-14, “Property Maintenance Code” in its entirety, and replacing it with a new Chapter 15, Article 15-4, to adopt the International Property Maintenance Code, 2015 Edition, with amendments to read as follows:

**“ARTICLE 15-14. PROPERTY MAINTENANCE CODE**

There is hereby adopted the International Property Maintenance Code, 2015 Edition, and made a part hereof for all purposes, the same as if fully copied in full herein, with the exception of such sections hereof, which are hereafter deleted, modified or amended.

**Sec. 15-14-2. Amendments.**

The following sections of the International Property Maintenance Code, 2015 Edition, are hereby amended to read as follows:

**1. Amend Section 101.1 to read as follows:**

**101.1 Title.** These regulations shall be known as the Property Maintenance Code of the City of Coppell, hereinafter referred to as “this code.”

**2. Amend Section 102.3 to read as follows:**

**102.3 Application of other codes.** Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International Plumbing Code, and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the City of Coppell Zoning Ordinance.

**3. Amend Section 103.1 to read as follows:**

**103.1 General.** The department of property maintenance inspection, referred to as the Building Inspection Department of the City of Coppell, is hereby created and the executive official in charge thereof, Chief Building Official or designee, shall be known as the code official.

**4. Amend Section 103.5 to read as follows:**

**103.5 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the fee schedule as established by resolution of the City of Coppell shall be charged for compliance with this article.

**5. Amend Section 107.1 to read as follows:**

**107.1 Notice to owner(s) or to person(s) responsible.** Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the owner(s) or to the person(s) responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.

**6. Amend Section 107.3 to read as follows:**

**107.3 Method of service.** Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally; or
2. Posting a notice of violation in a conspicuous place in or about the structure or on a placard attached to a stake driven into the ground on the property to which the violation relates, if the property contains no buildings; or
3. Sent by certified or first class mail addressed to the last known address; or
4. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

**7. Amend Section 111.1 to read as follows:**

**111.1 Application for appeal.** Any person directly affected by a decision of the building official or a notice or order issued under this code shall have the right to appeal to the building and standards commission prior to the expiration of the period for compliance in said order. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. There shall be a filing fee for an appeal to the building and standards commission in an amount determined from time to time by resolution of the City council.

**8. Sections 111.2 thru 111.8 shall be deleted and replaced by:**

**Article 2-6 Building and Standards Commission of the Code of Ordinances.**

**9. Amend Section 112.4 to read as follows:**

**112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than the amount of the permit fee required by code and not to exceed One Thousand (\$1,000.00) dollars.

**10. Adopt a new Section 113 “Rental Registration”, to read as follows:**

**113.1 General.** The City of Coppell, referred to as the City, recognizes a need for an organized inspection program of residential rental units within the City in order to upgrade rental units to meet City and state life safety, health, fire and zoning codes within the City and to provide a more efficient system for compelling both absentee and local landlords to correct violations and to maintain, in proper condition, rental property within the City. The City recognizes that the most efficient system to provide for rental inspections is the creation of a program requiring the registration of all residential rental units within the City so that orderly inspection schedules can be made by City officials.

**113.2 Registration requirements.** No person shall hereafter occupy, allow to be occupied or let to another person for occupancy any residential rental property within the City for which a registration statement has not been properly made and filed with the building inspection department of the City. Registration shall be made upon forms furnished by the City for such purpose and shall specifically require the following minimum information:

1. Name, address and phone number of the property owner.
2. Name, address and phone number of the designated local property manager if the property owner lives outside the metropolitan area.
3. The street address of the rental property.
4. The number and types of units within the rental property (dwelling units or sleeping rooms).
5. The maximum number of occupants permitted for each dwelling unit or sleeping room in accordance with Section 404.4.1.

6. The name, phone number and address of the person authorized to make or order repairs or services for the property, if in violation of City or state codes, if the person is different than the owner or local manager.

**113.2.1 Manner of registering.** The registration must be made on or before January 30<sup>th</sup>, and annually thereafter by the property owner or designated local property manager in the office of the building inspection department of the City.

**113.2.2 Transfer of property.** Every new owner of rental property (whether as fee owner or contract purchaser) shall be required to furnish to the building inspection department the new owner's name, address and phone number and the name, address and phone number of the owner's designated local manager before taking possession of the rental property. No registration fee shall be required of the new owner during the year in which possession takes place provided that the previous owner has paid all registration fees and has complied with all requirements of this article and any notices from the City concerning violations of health, zoning, fire or safety codes of the City. If any change in the type of occupancy as originally registered is contemplated by the new owner, a new registration statement will be required.

**113.3 Inspection required.** All dwellings, boarding-houses, rooming houses, lodging houses, and/or tourist houses that rent to permanent residents and dormitories shall be inspected systematically for compliance with this article and all other applicable laws.

Exception: The provisions of this section shall not apply to:

1. Dwellings, buildings, structures and uses owned and operated by any governmental agency;
2. Dwellings, buildings, structures and uses licensed and inspected by the state;
3. Hotels that do not rent to permanent residents;
4. Where a nonresidential business or activity, or a state-licensed and state-inspected use occupies a portion of a building and premises which would be otherwise subject to this article, the provisions of this article shall be applicable to the residential and common or public areas of such building and premises.
5. Properties that are currently being occupied by family member(s) with a written notice given to Building Inspection and no rental payments are being collected from occupant.

**113.4 Frequency of inspections.** All rental dwellings subject to this article shall be inspected upon change of occupancy, except as provided herein.

**113.4.1 Inspection of multifamily:** Ten percent of the entire complex will be inspected each year. As a result of such inspection, a list of all violations found in each unit, if any, shall be maintained by the inspection department. For each additional unit that fails due to a high risk item, one additional unit will be inspected. Any re-inspection shall require an additional fee as established by resolution of the City Council. High risk re-inspections shall be conducted within three business days.

**113.4.2 Inspection of townhome(s):** The owner of multiple townhomes shall provide written notice to Building Inspection indicating the type of registration classification of their townhomes as listed below:

- a. Residential classification which shall be inspected upon change of occupancy with appropriate fees; or
- b. Multifamily classification which shall require ten percent of the entire complex be inspected each year with appropriate fees.

**113.5. Rental Registration Inspection required.** No person shall rent, lease or let for occupancy any dwelling subject to this division without having a valid, current rental registration inspection for that dwelling.

**113.6 Inspection procedure.** If, upon completion of the inspection, the premises are found to be in violation of one or more provisions of applicable City codes and ordinances, the City shall provide written notice of such violation and shall set a re-inspection date for violation to be corrected. If such uncorrected violations do not pose an immediate threat to the health, safety, and welfare of the occupants, the Chief Building Official or designee may authorize the occupancy of the premises for a period not to exceed 90 days.

**113.7 Request for inspection.** The owner of any dwelling subject to this division [article] may request inspections of said dwelling at any time.

**113.8 Maintenance of records.** All records, files, and documents pertaining to this article shall be maintained by the Building Inspection Department and made available to the public as allowed or required by state law or City ordinance.

**113.9 Exemptions.** The provisions of this article shall not apply to hospital units, nursing home units or retirement-home units licensed by the state located within the City and properties that are currently being occupied by family member(s) and no payments are being collected all of which shall be specifically exempt from registration under this article.

**113.10 Fees.** A fee schedule as established by resolution of the City shall be charged for compliance with this article.

**113.11 Nuisance, injunction.** Any violation of this article is hereby declared to be a nuisance. In addition to any other relief provided by this article, the City attorney may apply to a court of competent jurisdiction for an injunction to prohibit the continuation of any violation of this article. Such application for relief may include seeking a temporary restraining order, temporary injunction and permanent injunction.

**113.12 Other actions, prosecution, court cases.** Nothing in this article shall prevent the City from taking action under any of its City fire, housing, zoning or other health safety codes for violations thereof to seek injunctive relief or criminal prosecution of such violations in accordance with the terms and conditions of the particular ordinance or code under which the City would proceed against the property owner, designated property manager or occupant of any residential rental dwelling unit covered by this registration and inspection article.

**113.13 Failure to register or obtain inspection.** If the owner or local property manager fail to register a property within the time prescribed or fails to obtain a passing inspection prior to occupancy, they shall be liable to a fine not to exceed Two Thousand (\$2,000.00) dollars.

**11. Amend Section 202 by adding new definitions to read as follows:**

**BOARDINGHOUSE, ROOMING HOUSE, LODGING HOUSE AND TOURIST HOUSE.** Building arranged or used for the lodging, with or without meals, for compensation, by individuals who are not members of the family.

**FENCE.** Any wall or structure more than 18 inches in height erected or maintained for the purposes of enclosing, screening, restricting access to or decorating the surrounding lot, parcel, building or structures.

**FRONT YARD.** Open, unoccupied space on a lot facing a street and extending across the front of a lot between the side yard lines.

**GRAFFITI.** Words, phrases, designs, symbols, letters, or drawings written, painted, scratched on or applied to sidewalks, fences, walls, windows, walls of buildings, trees, or other structures or items.

**HIGH-RISK ITEMS.** Unsafe or unsanitary plumbing, electrical hazards, unsanitary conditions, missing or inoperable smoke detectors, structural hazards, inadequate heat (as required by the International Building Code), improperly secured premise, inadequate exits.

**HOTEL.** A room or rooms in any building or structure kept, used, maintained, advertised or held out to the public to be an inn, motel, hotel, apartment hotel, lodging house, boarding house, rooming house, tourist house, dormitory or place, where sleeping, rooming, office, conference or exhibition accommodations are furnished for lease or rent, whether with or without meals.

**LANDLORD.** Any owner, resident or non-resident, who leases or rents his single-family residence to another.

**MULTIFAMILY DWELLINGS.** A building or portion thereof containing more than two dwelling units.

**NUISANCE.** The following shall be defined as nuisances; whatever is dangerous to human life or is detrimental to health, as determined by the health officer, including but not limited to the following:

- a. Any public nuisance known at common law.
- b. Any attractive nuisance which may prove detrimental to children whether in a building, on the premises of a building, or upon an unoccupied lot. This includes any abandoned wells, shafts, basements, or excavations; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; un-fenced privately owned playground equipment; or any lumber, trash, fences, brush, debris or vegetation which may be hazardous for children;
- c. Graffiti of any type;
- d. Any tree, shrub, or other plant which creates a hazard or risk of damage or destruction to persons or property;
- e. Any substandard condition under this code.

**PERSON.** An individual, corporation, partnership or any other group acting as a unit and/or as a legal entity.

**PERMANENT RESIDENT.** Any person who occupies or has the right to occupy any room or rooms in a hotel or motel for at least thirty (30) consecutive days.

**PROPERTY MANAGER.** A person other than the owner that has managing control of a rental property.

**REAR YARD.** A space unoccupied by principle structure extending for the full width of the lot between a principle structure and the rear lot.

**RENT.** The offering, holding out or actual leasing of a rental unit to an occupant other than the owner and generally involves the payment of a rental amount although other forms of consideration may be involved or no consideration at all may be involved.

**RENTAL PROPERTY.** Any single family dwelling, two-family dwelling, multifamily dwelling, town home, dormitory, boardinghouse, lodging house, tourist house, rooming unit or combination of any such dwelling unit as defined herein.

**REPAIR.** The replacement of existing work with the same kind of material used in the existing work, not including additional work that would change the structural safety of the building, or that would affect or change required exit facilities, a vital element of an elevator, plumbing, gas piping, wiring or heating installations, or that would be in violation of a provision of law or ordinance. The term “repair” or “repairs” shall not apply to any changes of construction.

**REPAIR, FENCE.** The construction or repair of fifty percent (50%) or less of the perimeter of an existing fence.

**REPLACE, FENCE.** The construction, reconfiguration, relocation or repair of fifty percent (50%) or more of the perimeter of an existing fence.

**SIDE YARD.** An open unoccupied space on the same lot with the building, situated between the building and the side line of the lot, and extending through the street or the front line shall be deemed a side yard.

**SINGLE-FAMILY DWELLING, ATTACHED.** A building located on a separately platted lot with use and occupancy identical to other single-family dwellings except without the required yard setbacks in front, side or rear. This is a structure that has one or more walls extending from ground to roof separating it from adjoining structures and sometimes referred to as townhouses.

**SINGLE-FAMILY DWELLING, DETACHED.** A building designed for one family in a single dwelling unit. This shall include manufactured homes as defined herein.

**TWO-FAMILY DWELLING (DUPLEX).** A building containing two dwelling units.

**TRASH AND DEBRIS.** All manner of refuse including, but not limited to: mounds of dirt; piles of leaves, grass and weed clippings; paper trash; useless fragments of building material; building materials that have not been in use in over 30 days; rubble;

furniture other than furniture designed for outside use; useless household items and appliances; items of salvage, such as scrap metal and wood; old barrels; tires; objects that hold water for an extended time; tree and brush trimmings and other miscellaneous wastes or rejected matter.

**VEHICLE.** Any and every device in, upon or by which a person or property is or may be transported, drawn or moved upon a street, highway, waterway or airway and shall include but is not limited to any automobile, bus, truck, tractor, motorhouse, farm machinery, motorcycle, scooter, moped, all-terrain vehicle, boat, boat trailer, aircraft, recreational vehicle, golf cart, go-cart, trailer, fifth wheel trailer, camper, camper shell, wheeled towing frame, semi tractor, semi tractor trailer, truck bed mounted on a chassis and mobile home. This definition does not include non-motorized bicycles, small engine lawn mowers and devices of similar scale.

**VEHICLE, ANTIQUE.** A passenger car or truck that is at least 35 years old.

**VEHICLE COLLECTOR.** A person who: (a) owns one or more antique or special interest vehicles; and (b) acquires, collects or disposes of an antique or special interest vehicle or part of them for personal use to restore and preserve an antique or special interest vehicle for historic interest.

**VEHICLE, SPECIAL INTEREST.** A vehicle of any age that has not been changed from the original manufacturer's specifications and, because of its historic interest is being preserved by hobbyist.

**URBAN NUISANCE.** A premises or structure that is dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; regardless of its structural condition, is unoccupied by its owner, lessees, or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or boarded up, fenced, or otherwise secured in any manner if: the structure constitutes a danger to the public even though secured from entry; or the means used to secure the structure are inadequate to prevent unauthorized entry or use of the structure.

**12. Amend Section 302.2 to read as follows:**

**302.2 Grading and drainage.** All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon. Furthermore, no filling, excavation or other improvement shall be performed or constructed on any property which will have an adverse effect on an existing drainage pattern on an adjacent property.

**Exception:** Approved retention areas and reservoirs.

**13. Amend Section 302.3 to read as follows:**

**302.3 Sidewalks and driveways.** All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions, mud, debris, frozen precipitation or other obstruction that would impair or prevent their use.



**14. Amend Section 302.4 to read as follows:**

**302.4 Weed(s), brush and other material over 12 inches high.** It shall be unlawful for any person owning or occupying any real property within the corporate limits of the City to permit weed(s) or any other combustible material to grow to a height greater than 12 inches upon any such real property including but not limited to alleys, City r.o.w., and utility easements. All vegetation, not regularly cultivated, and which exceeds 12 inches in height shall be presumed to be a fire hazard and constitute a nuisance.

**Exception:** With respect to lots, tracts or parcels of land designated for agricultural use by the appropriate County Appraisal District and/or lots, tracts or parcels zoned Agricultural District as per the City of Coppell Zoning Map, the provisions of this section shall not apply to any area greater than 50 feet from any property line and right-of-way line of any street or thoroughfare. Furthermore, crops shall not be allowed to grow to a height greater than 4 feet.

**15. Adopt new Sections 302.4.1 through 302.4.11 to read as follows:**

**302.4.1 Groundcover.** All groundcover including but not limited to grass, weed(s), ivy, and other decorative groundcovers shall be maintained by mowing, trimming, and/or edging so as to be in conformance with Section 302.4 of this section and shall be maintained so as not to encroach over the edge of sidewalks, pedestrian ways, driveways, flatwork, curbs, and street pavement. This shall not preclude the use of permeable pavement or permeable flatwork techniques that incorporate groundcover in their design provided the areas are maintained in accordance with this section.

**302.4.2 Objectionable matter.** It shall be the lawful duty of any person owning or occupying real property, within the corporate limits of the City, to keep such property free from rubbish, and other objectionable, unsightly, or unsanitary manner. It shall further be the lawful duty of any person owning any building, establishment, or real property, to keep such improvements or property free from filth, carrion, or other impure or unwholesome matter.

**302.4.3 Stagnant water.** It shall be unlawful for any person owning or occupying real property, within the corporate limits of the City, to permit stagnant water therein, and it shall be the duty of said persons to fill up, drain, or regrade any lot, ground or yard which has stagnant water therein.

**302.4.4 Notice to owner(s) or to person(s).** Notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the owner(s) or to person(s) responsible for the violation as specified in this code.

**302.4.5 Subsequent violations within one year.** The City, in the notice of violation, may inform the owner(s) or person(s) responsible in the manner prescribed in Sections 107.2 and 107.3 that if the owner commits another violation of the same kind or nature that poses a danger to the public health and safety on or before the first anniversary of the date of the notice, the City without further notice may correct the violation at the owners expense and assess the expense against the property. If a violation covered by a notice under this subsection occurs within the one year period, and the City has not been informed in writing by the owner of an ownership change, then the City without

notice may take any action permitted by this article and assess expenses as provided by this article.

**302.4.6 City may perform work and charge expenses.** If the owner or occupant of property in the City does not comply with a requirement in this article within ten days of notice of a violation, the City may do the work or make the improvements required and pay for the work done and improvements made and charge the expenses to the owner of the property. The expenses incurred by the City of Coppell, with City council approval, pursuant to the correcting of conditions as set forth in this article, shall be assessed against the real estate on which the work is done or improvements made.

**302.4.7 Expenses of compliance.** In the event that it becomes necessary for the City to go onto property and do, or cause to be done, the work necessary to compel compliance with the requirements of this article, the following expenses shall be charged, levied, assessed and collected against such property:

1. Actual costs of necessary work;
2. \$100.00 administrative fee; and
3. Ten percent interest per year.

**302.4.8 Assessments of expenses.** In the event the owners of premises upon which work was performed by the City and charges incurred, fails or refuses to pay such charges and expenses within 60 days after the work was done, the City Tax Assessor and collector shall file with the County Clerk of Dallas or Denton County a lien statement which describes the expenses the City has incurred pursuant to the provision of this article, the name of the owner, if known, and the legal description of the property. This lien is security for the expenditures made and interest occurring at the rate of ten percent on the amount due from the date of payment by the municipality. This lien is inferior only to tax liens and liens for street improvements.

**302.4.9 Foreclosure.** The City may bring a suit for foreclosure in the name of the City to recover the expenditures and interest due in any lien obtained pursuant to this article.

**302.4.10 Additional authority to abate dangerous weed(s).**

**302.4.10.1** Notwithstanding the other provisions to this article, the City may abate, without notice, weed(s) that have grown higher than 48 inches and are an immediate danger to the health, life, or safety of any person.

**302.4.10.2** If the City abates weed(s) under this section, the City shall give notice to the property owner in a manner required by Sections 107.2 and 107.3 not later than the tenth day after the date that the City abates weed(s) under this section. This notice shall contain:

1. An identification, which is not required to be a legal description, of the property;
2. A description of the violations of the ordinance that occurred on the property;
3. A statement that the City abated the weeds; and
4. An explanation of the property owner's right to request an administrative hearing about the City abatement of the weeds.

**302.4.10.3** The City shall conduct an administrative hearing on the abatement of weeds under this section if, not later than the 30th day after the date of the abatement of the weed(s), the property owner files with the City a written request for a hearing.

**302.4.10.4** An administrative hearing conducted under this section shall be conducted no later than the 20th day after the date a request for hearing is filed. The owner may testify or present any witnesses or written information relating to the City's abatement of the weed(s).

**302.4.10.5** Expenses under this section may be assessed in liens created under the same conditions expressed in this article. The grant of authority in this section is in addition to all other powers granted by this article.

**302.4.11 Maintenance of subdivision.** Within the boundaries of a subdivision plat, the homeowner's association shall be responsible for maintaining all common areas, and shall be considered the owner or occupant of the common areas for purposes of this article.

**16. Amend Section 302.7 to read as follows:**

**Section 302.7 Accessory structures.** All accessory structures, including detached garages, carports, awnings, patio covers, sheds, storage buildings, retaining walls, fences and walls, shall be maintained structurally sound and in good repair.

**17. Adopt new Sections 302.7.1 and 302.7.2 to read as follows:**

**Section 302.7.1 Portable storage container(s) and/or unit(s).** It shall be unlawful for any person, occupant, or owner to place on any public street or City right-of-way a portable storage container(s) and/or unit(s) including but not limited to PODS, Mobile Mini, Smart Box, and Mini Storage units. Furthermore, such portable storage container(s) and/or unit(s) shall not be placed on any property for a period longer than forty-five (45) consecutive days.

**Section 302.7.2 Fences and retaining walls.** All fences and retaining walls shall be maintained reasonably plumb and structurally sound. Fences and retaining walls that are broken, loose, damaged, missing parts (i.e. pickets, slates, posts, wood rails, brick, and panels) shall be repaired, replaced or removed. Each structural and decorative member of a fence or a retaining wall shall be free of deterioration and be compatible in size, material, and appearance with the remainder of the fence or retaining wall. A fence or retaining wall that has deteriorated to a condition that is likely to fall or if any portion of the fence is more than 15 degrees out of vertical alignment shall be repaired, replaced, or removed. Fences or retaining walls shall not be externally braced in lieu of replacing or repairing steel posts, columns, or other structural members.

**18. Amend Section 302.8 to read as follows:**

**Section 302.8 Motor Vehicles.** Except as provided for in other regulations, no inoperable or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Paint of vehicles is prohibited unless conducted inside an approved spray booth.

**Exceptions:**

1. 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.
2. A vehicle that is completely enclosed within a building in a lawful manner and is not visible from the street or other public or private property.
3. That is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or a junk yard; or
4. That is antique or special interest vehicle stored by a vehicle collector on the collector's property, if the vehicle or part and the outside storage area, if any, are:  
(a) maintained in an orderly manner; (b) not a health hazard; and (c) screened from ordinary public view by appropriate means including a fence, rapidly growing trees or shrubbery.

**19. Adopt new Sections 302.8.1 and 302.8.2 to read as follows:**

**Section 302.8.1 Parking regulations.** No vehicle, special vehicle, and/or utility vehicle shall be parked on any lot unless parked on a concrete driveway or solid concrete slab. Certain vehicles, such as, but not limited to any trailer, boat, boat trailer, stock trailer, camper trailer, semitrailer, mobile home, truck tractor, recreational vehicle or bus shall be parked on any public street within any residential area of the City for a period longer than two hours.

**Section 302.8.2 Non-conforming parking surfaces.** Pre-existing, non-conforming gravel driveways/ parking surfaces (those installed prior to the current solid parking surface requirement) shall be maintained to be free of grass and weeds.

**20. Adopt a new Section 302.10 to read as follows:**

**Section 302.10 Glare.** Exterior lights placed or erected on private property shall be shielded, placed or erected so as not to create a traffic hazard or a public nuisance.

**21. Adopt a new Section 302.11 to read as follows:**

**Section 302.11 Trees, shrubs and plants.** Trees, shrubs, and plants shall not obstruct the access to or from any door or window of any structure which is used, or is required by City codes and ordinances to be used, for ingress or egress. Trees, shrubs, or plants that are dead and/or which are hazardous to persons or property shall be removed. Foliage of hedges, trees, and shrubs in public rights-of-way shall be maintained by the property owner adjacent to the right-of-way, such that the minimum overhang above a sidewalk shall be seven (7) feet. The minimum overhang above a street, alley, or public driveway shall be fourteen (14) feet.

**22. Adopt a new Section 302.12 to read as follows:**

**Section 302.12. Nuisances.** All properties shall be maintained free of any nuisances.

**23. Adopt a new Section 302.13 to read as follows:**

**Section 302.13 Erosion Control.** The unpaved areas of the property shall be maintained with grass, ground cover, or other type of landscaping to such an extent that the soil, when wet, will not be picked up and spread to sidewalks or adjacent private or public property and is not subject to erosion during rains.

**24. Adopt a new Section 302.14 to read as follows:**

**Section 302.14 Antennas, towers, stacks, etc.** Antennas, towers, stacks, satellite dishes, and similar structures must be maintained structurally sound, free of deterioration, firmly secured, and must comply with applicable requirements of the City of Coppell Zoning Ordinance, as amended.

**25. Adopt a new Section 302.15 to read as follows:**

**Section 302.15 Residential Outside Storage.** It shall be unlawful for any person to allow, permit, conduct or maintain any outside storage on any portion of a lot or tract, unless screened from public view. Prohibited outside storage shall include, but is not limited to, the following: Building and landscape material (exception: allowed only during an active remodeling permit) including firewood, chemicals; items associated with a home occupation; or other matter associated with nonresidential activity, appliances and or furniture not designed for outdoor use; appliances designed for outdoor use but not currently installed; tools, equipment not connected with a residential use; lawn maintenance equipment; motor vehicle parts and/or accessories; other items or personal property which are not customarily used or stored outside and which are not made of a material that is resistant to damage or deterioration from exposure to the outside environment; or trash, garbage or other refuse.

**26. Amend Section 304.3 to read as follows:**

**[F] Section 304.3 Premises identification.** Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property and rear alleyway where such alleyway exists. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

**27. Amend Section 304.15 to read as follows:**

**Section 304.15 Doors.** All exterior doors, garage doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

**28. Adopt a new Section 304.20 to read as follows:**

**Section 304.20 Burglar bars.** Burglar bars shall comply with requirements of the building code and other codes or ordinances of the City. Burglar bars on windows of bedrooms of residential structures shall be constructed and mounted in such a way so as to be operable and openable from the interior of the residence.

**29. Amend Section 404.4.1 to read as follows:**

**404.4.1 Room area.** Every living room shall contain not less than 120 square feet (11.2 m<sup>2</sup>) and every bedroom shall contain not less than 70 square feet for a single occupant (6.5 m<sup>2</sup>) and shall be increased by not less than 50 square feet (4.6 m<sup>2</sup>) of floor area for each additional occupant.

**30. Amend Section 404.4.5 to add a second paragraph, to read as follows:**

**Section 404.4.5 Other requirements.** [first paragraph to remain the same]

The number of bedrooms must be proportional to the number of bathrooms and living areas in single-family and two-family dwellings such that for every two rooms in the dwelling unit used as a bedroom, there must be at least one full bathroom (containing a commode, a lavatory and a shower or bathtub) and one living area.”

**Section 2.** If any section, subsection, paragraph, sentence, phrase or work in this ordinance, or application thereof to any person or circumstance is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this ordinance, and the City Council of the City of Coppell, Texas hereby declares it would have enacted such remaining portions despite any such invalidity.

**Section 3.** That the repeal of any ordinance or any portion thereof by the preceding sections shall not affect or impair any act done or right vested or accrued or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceedings, suit or prosecution had or commenced shall remain in full force and effect to all intents or purposes as if such ordinance or part thereof so repealed shall remain in force.

**Section 4.** That any person, firm or corporation violating any of the provisions of this ordinance or the Code of Ordinances as amended hereby, shall be guilty of a misdemeanor and upon conviction in the Municipal Court of the City of Coppell, Texas shall be subject to a fine not to exceed the sum of Five Hundred Dollars (\$500.00) for each offence, except where a different penalty has been established by State law for such offense, the penalty shall be that fixed by State law, and for any offense which is a violation of any provision of law that governs fire safety, zoning or public health and sanitation,

including dumping of refuse, the penalty shall be fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such offense is continued shall constitute a new and separate offense.

**Section 5.** That this ordinance shall become effective thirty (30) days from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED by the City Council of Coppel, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.**

**APPROVED:**

\_\_\_\_\_  
**KAREN HUNT, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CHRISTEL PETTINOS, CITY SECRETARY**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**ROBERT HAGER, CITY ATTORNEY**