

**CITY OF BEDFORD, TEXAS  
ORDINANCE NO. 2025-3445**

**AN ORDINANCE OF THE CITY OF BEDFORD, TEXAS, AMENDING ARTICLE X, "MINIMUM HOUSING CODE," OF CHAPTER 22, "BUILDINGS AND BUILDING REGULATIONS," OF THE CODE OF ORDINANCES, CITY OF BEDFORD, TEXAS, TO REORGANIZE THE ARTICLE, SET A DEADLINE FOR ANNUAL REGISTRATION RENEWAL APPLICATIONS, ESTABLISH PROVISIONS TO PROTECT TENANTS RIGHTS, AND ADDING REGULATIONS TO HELP PREVENT CRIME IN MULTI-FAMILY PROPERTIES; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bedford, Texas (the "City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and,

**WHEREAS**, the City Council previously adopted an ordinance known as the "Bedford Minimum Housing Code" to establish minimum standards governing the construction, use, occupancy, management, operation, and maintenance of dwelling units and multiple family dwelling complexes; and,

**WHEREAS**, the City Council desires to amend portions of the Bedford Minimum Housing Code to reorganize the Article, set a deadline for annual registration renewal applications, establish provisions to protect tenants rights and adding regulations to help prevent crime in multi-family properties; and,

**WHEREAS**, the City Council hereby determines that it is in the best interest of the health, safety, morals, and general welfare of the citizens of the City and the public to adopt the amendments to the Bedford Minimum Housing Code.

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

**SECTION 1.**

The findings above are found to be true and correct and are incorporated herein in their entirety.

**SECTION 2.**

Article X, "Minimum Housing Code," of Chapter 22, "Buildings and Building Regulations," of the Code of Ordinances, City of Bedford, Texas is hereby amended to read as shown in Exhibit A, attached hereto.

**SECTION 3.**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, City of Bedford, Texas, as amended, including but not limited to all Ordinances of the City affecting building and maintenance standards, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

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**SECTION 4.**

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists enforcement of any of the provisions of this Ordinance shall be fined in accordance with Section 1-7 of the Code of Ordinances, City of Bedford, Texas for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 5.**

All rights or remedies of the City are expressly saved as to any and all violations of any ordinances governing building and maintenance standards or of any amendments thereto that have accrued at the time of the effective date of this Ordinance, and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 7.**

This Ordinance shall be in full force and effect from and after its passage and it is so ordained.

**PRESENTED AND PASSED this 8th day of July 2025, by a vote of 7 ayes, 0 nays and 0 abstention, at a regular meeting of the City Council of the City of Bedford, Texas.**

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**Daniel S. Cogan, Mayor**

**ATTEST:**

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**Michael Wells, City Secretary**

**APPROVED AS TO FORM:**

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**Bryn Meredith, City Attorney**

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## **ARTICLE X. MINIMUM HOUSING CODE<sup>1</sup>**

### **DIVISION 1. GENERAL PROVISION**

#### **Sec. 22-411. Short title.**

This article shall be known as the "Bedford Minimum Housing Code."

(Ord. No. 19-3268, § 3, 9-24-19)

#### **Sec. 22-412. Legislative finding of fact.**

It is hereby found and declared that there exists in the City of Bedford, Texas ("City"), structures used for human habitation, which are or may become in the future, substandard with respect to structure, equipment or maintenance, and further that such conditions together with inadequate provision for light and air, insufficient protection against fire hazards, lack of proper heating, unsanitary conditions and/or overcrowding constitute a menace to the health, safety, welfare and reasonable comfort and/or quality of life of its citizens. It is further found and declared that the existence of such conditions, factors or characteristics will, if not remedied, create slum and blighted areas requiring large scale clearance and further that, in the absence of corrective measures, such areas will experience a deterioration in value, a curtailment of investment and tax revenue, and an impairment of economic values. It is further found and declared that the establishment and maintenance of minimum structural and environmental standards are essential to the prevention of blight and decay, and to the safeguarding of public health, safety and general welfare.

(Ord. No. 19-3268, § 3, 9-24-19)

#### **Sec. 22-413. Purpose of article.**

(a) The purpose of this article is:

- (1) To protect the public health, safety, and welfare of the citizens of the City by establishing minimum standards governing the construction, use, occupancy, management, operation and maintenance of dwellings, dwelling units and multi-family dwelling complexes; establishing minimum standards governing utilities, facilities, and other physical components and conditions essential to make dwellings, dwelling units, and multi-family dwelling complexes safe, sanitary, and fit for human use and habitation; fixing certain responsibilities and duties of owners, managers and occupants of dwellings, dwelling units, and multi-family dwelling complexes; authorizing and establishing procedures for the inspection of dwellings, dwelling units, and multi-family dwellings to ensure compliance with the minimum standards established by this article; authorizing the condemnation and vacation of those dwellings, dwelling units, and multi-family dwelling units or complexes unfit for human use, occupancy and habitation and fixing penalties for the violation of the provision of this article.
- (2) To provide standards that are intended to maintain a minimum level of safety and sanitation for both the general public and the occupants of a structure, and to maintain a building's structural and weather-resistant performance, regulating the maintenance for structures and structure components, accessory structures, fences, retaining walls, sanitation and appearance of the interior and exterior of structures and all exterior property areas.

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<sup>1</sup>Editor's note(s) — Ord. No. 19-3268, § 3, adopted Sept. 24, 2019, amended Art. X in its entirety as herein set out. Former Art. X pertained to similar subject matter and derived from Ord. No. 16-3151, § 4, adopted March 22, 2016.

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- (b) This article is hereby declared to be remedial and essential to the public interest, safety, health and welfare, and it is intended that this article be liberally construed to effectuate the purposes as stated above. The building official, fire marshal, code compliance official or their designee is authorized to determine the applicability of sections of this article for dwellings, dwelling units, and multi-family dwelling complexes. It is further declared that it is not the purpose of this article to be used as an instrument for the harassment of any persons.

(Ord. No. 19-3268, § 3, 9-24-19)

## **Sec. 22-414. Definitions.**

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them:

*Accessory buildings* means a subordinate building detached from the main building used for purposes incidental to the primary occupancy of the main building.

*Administrator* means city manager or city manager's designee.

*Apartment* means a room or suite of rooms arranged, designed or occupied as a residence by a single family, individual or group of individuals.

*Apartment building* means any structure containing more than four dwelling units.

*Apartment house* means any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied as more than four dwelling units, or which is occupied as the home or residence of more than four families living independently of each other and maintaining separate cooking facilities.

*Apartment inspection program manager* means the program manager and/or the program manager's designee responsible for the day to day administration and enforcement of the provisions of this article as designated by the city manager.

*Bathroom* means enclosed space containing one or more bathtubs, showers, or both, and which may also include toilets, lavatories or fixtures serving similar purposes.

*Bedroom* means a room used or intended to be used for sleeping purposes and not as a kitchen, bathroom, living room, closet, hallway, utility space, entry way, garage, patio or breezeway.

*City* means City of Bedford, Texas.

*Current building code* means the most recent building code as amended in effect in the City on any date, now or in the future, on which the dwelling unit is or could be occupied.

*Director* means the department director, as assigned by the city manager.

*Duplex* means single-family attached dwelling unit.

*Dwelling* means the structure occupied for residential purpose.

*Dwelling unit* means any room or group of rooms occupied, or which is intended or designed to be occupied as the home or residence of one individual, group of individuals, family or household, for housekeeping purposes and shall also include such units in multi-family dwelling complexes.

*Efficiency unit* means the equivalent of a one-bedroom unit.

*Extermination* means the control and elimination of insects, rodents and vermin by eliminating their harborage places and by removing, or making inaccessible materials that may serve as their food, and by poisoning, spraying, fumigating and trapping; or by any other approved means of pest elimination.

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*Family* means one or more persons related by blood, adoption or marriage, or living together as a single housekeeping unit.

*Floor space* means the total area of all habitable space.

*Follow-up inspection* means an inspection focused on those deficiencies identified after the property maintenance inspection (“PMI”) or an inspection previous to the PMI.

*Garbage* means putrescible animal and vegetable wastes resulting from the handling, preparation, cooking and consumption of food.

*Gross floor area* means the total square foot area of all floors in a building measured to the outside faces of all exterior walls or to the line of an omitted wall, whichever includes the largest area.

*Habitable room* means a room or enclosed floor space used or designed to be used for living, sleeping, cooking or eating purposes, not including bathrooms, laundries, pantries, foyers or communicating corridors, closets and storage spaces.

*Habitable space* means the space occupied by one or more persons while living, sleeping, eating, and cooking; excluding kitchenettes, bathrooms, toilet rooms, laundries, pantries, dressing rooms, closets, storage spaces, foyers, hallways, utility rooms, heater rooms, boiler rooms, and basement or cellar recreation rooms.

*Infestation* means the presence, within or contiguous to a dwelling unit, or apartment, of insects, rodents, vermin, or other pests.

*Kitchen* means space used for cooking or preparation of food, and deemed a habitable space.

*Landlord* means the owner, property manager or resident manager of a property, apartment building, dwelling or structure, or any other person held out by any owner or property manager as identified on the registration application to be the appropriate person with whom the tenant normally deals concerning the rental agreement of the property, apartment building, dwelling or structure.

*License* means multiple family dwelling complex license.

*Litter* means garbage, refuse, and rubbish and all other waste material.

*Multiple family dwelling complex* means any building or group of buildings which provide more than four dwelling units on a single platted lot, or if the land on which the building or buildings is unplatted, when any building or group of buildings which provide more than four dwelling units on a contiguous tract of land under a common ownership, and is also referred to as a “multi-family” dwelling complex in this article.

*Multiple family dwelling complex license* means license issued by the City pursuant to this article and referred to as “License” in this article.

*Occupant* means any person living, sleeping in or having actual possession of a dwelling unit or apartment.

*Owner* means a person claiming, or in whom is vested, the ownership, dominion, or title of real property, including but not limited to:

- (1) The owner of fee simple title;
- (2) The holder of a life estate;
- (3) The holder of a leasehold estate for an initial term of five years or more;
- (4) The buyer in a contract for deed; and
- (5) A mortgagee, receiver, executor, or trustee in control of real property, but not including the holder of a leasehold estate or tenancy for an initial term of less than five years.

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*Person* includes an individual, corporation, business trust, estate, partnership or association, two or more persons having a joint or common interest, or any other legal or commercial entity.

*Plumbing* includes all of the following supplied facilities, equipment and devices; gas pipes, water pipes, toilets, lavatories, sinks, laundry tubs, catch basins, wash basins, bathtubs, shower baths, sewer pipes, and sewerage system, septic tanks, drains, vents, traps, and any other fuel-burning or water-using fixtures and appliances, including private fire hydrants, together with all connections to water, waste and sewer or gas pipes.

*Property maintenance inspection-1 (PMI-1)* means the inspection performed annually that establishes the tier rating and score from which the number of additional property maintenance inspections (PMIs) are performed during the 12-month period of registration.

*Property maintenance inspection-2 (PMI-2)* means an instance of one inspection performed following the (PMI-1) inspection during the 12-month period of registration to determine compliance with minimum housing code(s).

*Property maintenance inspection-3 (PMI-3)* means an instance of two inspections performed following the (PMI-1) inspection during the 12-month period of registration to determine compliance with minimum housing code(s).

*Premises* means a lot, plot or parcel of land, including any structures thereon.

*Property maintenance inspection report* means the report issued to the landlord that provides a description of the code violations identified during the inspection(s) and the score.

*Property manager* means a person who has managing control of real property.

*Refuse* means all putrescible and non-putrescible solid wastes (except bodily waste) including, but not limited to, garbage, rubbish, ashes, street cleaning, dead animals, abandoned automobiles and solid market and industrial wastes.

*Registrant* means the owner or applicant of a registration and license.

*Resident manager* means a property manager or agent of a property manager who resides in the apartment complex.

*Rubbish* means non-putrescible solid wastes consisting of both combustible and noncombustible wastes, such as paper, wrapping, cigarettes, cardboard, tin cans, yard clippings, leaves, wood, glass, bedding, crockery and similar materials.

*Sanitary condition* means the state of being clean, free from dirt, free from impurities, infection and/or disease.

*Score* means the record of points deducted from a scale of 100, based on the number of violations identified during an inspection and from which a tier designation is assigned to the multi-family complex.

*Single location* means property held in common ownership that is compact and contiguous property separated only by public streets.

*Standard operating procedures* means the objective guidelines followed by the City to calculate the score.

*Structure* means that which is built or constructed; an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

*Tenant* means any person who occupies a dwelling unit for living or dwelling purposes with the landlord's consent.

*Tier designation* means the tier designation assigned by the apartment inspection program manager that establishes the conditions applicable to the continued operation of the complex and the number of property maintenance inspections that will be performed during the 12-month period of registration.

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*Unfit for human habitation* means the same as the term "uninhabitable and substandard dwelling or building."

*Violation* means a failure to uphold the requirements of City ordinances, state or local laws.

(Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-415. Overview for inspections.**

- (a) All property maintenance inspections will be conducted by or under the supervision of the apartment inspection program manager.
- (b) Each complex will at a minimum be subject to a property maintenance inspection-1 ("PMI-1") annually. The score established by the property maintenance inspection-1 will determine at the beginning of each registration year whether a complex is assigned as Tier 1, Tier 2, or Tier 3. As provided by this section, the tier designation determines the number of additional property maintenance inspections that will be required during a complex's 12-month period of registration.
- (c) The purpose of all property maintenance inspections is to identify the existence of any and all violations of this Code and/or any other City codes in order to determine what improvements need to be made to the property.
- (d) Pursuant to each inspection, the apartment inspection program manager will calculate the score for the complex from a starting total of 100 points. Points shall be deducted for violations of City standards discovered during the inspection. The score calculated for a property maintenance inspection will determine in which of the three tiers the complex belongs. To ensure objectivity and fairness, the above-referenced point deductions will be based on standard operating procedures of the apartment inspection program manager.
- (e) Tier 1 designation.
  - (1) A Tier 1 designation indicates that the complex is in good condition.
  - (2) A complex is designated Tier 1 when the score from a property maintenance inspection is 90 to 100.
  - (3) Any complex that is designated as Tier 1 after the property maintenance inspection-1 is not subject to any additional property maintenance inspections during the 12-month period of registration.
- (f) Tier 2 designation.
  - (1) A Tier 2 designation indicates that the complex has a moderate number of violations.
  - (2) A complex is designated Tier 2 when the score from a property maintenance inspection is 76 to 89.
  - (3) Except as provided by this subsection, any complex that is designated as Tier 2 after the property maintenance inspection-1 is subject to a property maintenance inspection-2 during the 12-month period of registration, as determined by the director.
- (g) Tier 3 designation.
  - (1) A Tier 3 designation indicates that the complex has a high number of violations.
  - (2) A complex is designated Tier 3 when the score from a property maintenance inspection is equal to or less than 75.
  - (3) Except as provided by this subsection, any complex that is designated as Tier 3 after the property maintenance inspection-1 is subject to a property maintenance inspection-2 and property maintenance inspection-3 during the 12-month period of registration, as determined by the Director.

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**Secs. 22-415—22-430. Reserved.**

*DIVISION 2. MULTI-FAMILY REGISTRATION/LICENSE REQUIREMENTS/CHANGE IN OWNERSHIP*

**Sec. 22-431. Applicability and administration.**

- (a) Division 2 shall apply to all multi-family dwelling units and complexes located in the City.
- (b) The building official, fire marshal, code compliance official, or their designee is authorized to administer and enforce provisions of this article.

(Ord. No. 19-3268 , § 3, 9-24-19)

**Sec. 22-432. Registration/license requirements/change in ownership.**

- (a) No multi-family dwelling complex may be operated within the City without registration and a valid license. The landlord of a complex shall apply for registration with the City. A registration shall be valid for a 12-month period upon issuance and must be renewed on an annual basis. All registration and license renewal applications must be submitted to the City no later than January 15<sup>th</sup> of each year. Annual renewal registrations and licenses are valid for the calendar year.
- (c) Upon a change in ownership or name, the new landlord of the complex shall have thirty (30) days from the date of the change of ownership to file an application for registration and a new license with the city. A change in ownership occurs when over 50 percent of the interest in the complex is transferred to a different person.
- (d) Registration applications received more than thirty (30) days after the renewal date has expired, or thirty (30) days after a name or ownership change has occurred, shall be assessed a late fee.
- (e) The landlord must be current with any and all fees, taxes, and assessments owed to the City prior to the issuance or renewal of a license.
- (f) Continued maintenance and observance of the standards contained in this article are conditions that shall be complied with in order to retain a license and to obtain any renewal of a license.
- (g) All City building, electrical, plumbing, heating, air conditioning, health, code compliance, zoning, fire safety, and other applicable ordinances, not specifically identified in the main body of this section, shall be complied with at all times.
- (h) In the event that a valid license is not maintained, the City retains the right to revoke the certificate of occupancy.
- (i) The registration application on record shall be on a form prescribed by the City and shall at a minimum contain the following information about the multiple family dwelling complex:
  - (1) The trade name, physical address, business mailing address, e-mail address(es), and related website(s), telephone numbers, total number of units. It shall be unlawful for any person to use or permit to be used more than one trade name at a single location;
  - (2) The names of designated employees or authorized representatives who shall be assigned to respond to emergency conditions and a telephone number where said employees can be contacted during any 24-hour period. Emergency conditions shall include fire, natural disaster, flood, burst pipes, collapse hazard, and violent or property crime;

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- (3) The names, addresses, e-mail address(es), and related website(s) and telephone numbers of the property owner, property manager, resident manager, registered agent, all federal, state, and local funding agencies, and the type of business entity that owns the complex;
  - (4) The number of buildings, number of units per building broken down as to number of efficiencies, one-bedroom, two-bedroom, and three-bedroom, number of other buildings including the washateria, clubhouse, office, etc.;
  - (5) Acknowledgment of receipt of a copy of the "Minimum Housing Code Ordinance" and agreement to abide by the Code as a condition to receiving and maintaining a license.
- (j) A landlord commits an offense and the license to operate may be revoked if the landlord:
    - (1) Operates a multi-family dwelling complex which is not currently licensed with the City;
    - (2) Fails to pay fees as required by this City ordinance;
    - (3) Maintains a property in violation of this article or City ordinance; and/or
    - (4) Commits any other violation of this article or City ordinance.
  - (k) It shall be unlawful for any person to own, operate, manage, or maintain a multi-family dwelling complex in the City without a current registration and license having been issued for each complex. Any person owning, operating, managing, or maintaining a complex at more than one location shall obtain a registration and license for each separate location.

(Ord. No. 19-3268, § 3, 9-24-19)

### **Sec. 22-433. Registration and license and property maintenance inspection fees.**

- (a) No registration or license shall be issued until all prerequisites for obtaining such registration and license under Section 22-432 herein have been met.
- (b) Each office, washateria, clubhouse, workout facilities, enclosed garages, and similar amenities available to all tenants, will be counted as a unit.
- (c) The landlord shall pay the applicable inspection and registration fee(s) as set forth in Appendix A "Schedule of Fees" inspection services. The landlord shall pay the fees for inspections upon completion of the required inspection. Payment must be received within thirty (30) days of receipt of invoice from the City.
- (d) Registration is not complete until inspection fee payments are made to the city. Should the inspection fee(s) payment be made by check or other instrument, the City shall not issue the license until payment is cleared and honored by the financial institution.

(Ord. No. 19-3268, § 3, 9-24-19)

### **Sec. 22-434. Noncompliance; enforcement.**

- (a) Upon failure to comply with the terms of this article and after receipt of written notice from the apartment inspection program manager, building official, fire marshal, code compliance official, or their designee setting out the violation(s) and the time allowed to rectify the violation(s), the City may, at its discretion, take any or all of the following actions:
  - (1) Prohibit the landlord from re-letting any unit in violation of this article that becomes vacant until the violation(s) have been rectified;

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- (2) Impose a penalty upon the owner as provided in Section 22-537 of this article.
  - (3) Pursuant to the rules of this subsection, revoke the owner's certificate of occupancy and the license authorized by this article to operate the entire multi-family dwelling complex.
    - a. If the building official determines that violations of this article provide cause to revoke a certificate of occupancy, the building official will provide written notice of such determination to the landlord and owner detailing the reasons for revocation.
    - b. The building official's determination to revoke a certificate of occupancy under this subsection is automatically appealed to the building and standards commission. Such appeal hearing shall be scheduled not later than the 30<sup>th</sup> day after the landlord receives the notice of revocation.
    - c. The fees to appeal to the building and standards commission are waived under this subsection.
    - d. If the building and standards commission upholds the building official's determination to revoke the certificate of occupancy, the landlord will be required to issue a formal written notice to all tenants that all units must be vacated within sixty (60) days. This written notice shall also be posted prominently in the leasing office.
  - (4) The City may take any or all of the following actions on any property which is assigned a Tier 3 designation in two consecutive property maintenance inspections as contained in the property maintenance inspection reports:
    - a. Prohibit the landlord from re-letting any unit in the multi-family dwelling complex that becomes vacant or renewing any leases for a term that would go beyond the date the license is subject for renewal. It shall be a violation of this article for the landlord to rent any unit after notice from the City that such action is prohibited.
    - b. Direct the fire department, police department, or other appropriate department to conduct safety surveillance and inspections to prevent imminent threats to the health and safety of residents, at the owner's expense, until the violations have been rectified.
- (b) If the City takes any enforcement action that mandates the involuntary relocation of tenants prior to the end of their contractual rental term, the cost of such relocation expenses shall be borne by the landlord.
- (1) If the landlord fails to provide tenant(s) relocation expenses, the City may provide reasonable relocation expenses to eligible tenant(s). The landlord shall be responsible for repayment of the cost of such tenant(s) relocation expenses to the City. The failure to pay such expenses within thirty (30) days from notice of same shall result in the City placing a lien on the property, and to take any other action the City deems appropriate and permissible by law, to secure such repayment.
  - (2) The City may assess expenses incurred under section 22-434(b)(1) against the real estate on which the relocation occurs. To obtain a lien against the property, the City may file with the county clerk a statement, signed by the mayor or an official of the City designated by the mayor, of the amount so expended and costs which statement shall state the name of the owner, if known, and the legal description of the property. Such amount shall bear interest at the rate of ten percent from the date the City incurs the expense and shall become a privileged lien against the real property, second only to tax liens and liens for street improvements. The City may bring a suit for foreclosure in the name of the municipality to recover the expenditures and interest due. The statement of expense filed with the clerk or a certified copy thereof shall be prima facie proof of the amount expended in such exercise for relocation of tenant(s).

(Ord. No. 19-3268, § 3, 9-24-19)

### **Sec. 22-435. License display, replacement and transferability.**

(Supp. No. 15)

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- (a) Each license issued pursuant to this article shall be posted and displayed in the office of the complex in a conspicuous place to which tenants have access, if an on-site office is provided. If no office exists at the location, a copy of the license shall be given to each tenant upon request.
  - (b) A replacement license may be issued if the license is lost, destroyed, or mutilated during the 12-month period of registration.
  - (c) A license is not assignable or transferable.
  - (d) The form of the license shall be prepared by the City's apartment inspection program manager.
- (Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-436. Multi-family dwelling complex license standards for display of maximum density requirements/records maintained of tenants.**

- (a) Notwithstanding the provisions of all other City ordinances, the maximum number of persons per dwelling unit in a multi-family dwelling complex is as follows:
  - (1) No more than two occupants per each bedroom are permitted to reside in a unit plus one additional occupant. For example: in a one-bedroom or efficiency unit, the density shall not exceed three occupants; in a two-bedroom unit, the density shall not exceed five occupants; in a three-bedroom unit, the density shall not exceed seven occupants.
  - (2) To assist compliance with this requirement, all licensees shall display in a conspicuous place, contiguous to the displayed license, the following notice, the form of which shall be furnished by the City:

City of Bedford Imposes the Following Maximum Density Requirements:
One-Bedroom or Efficiency Unit No more than three occupants per unit.
Two-Bedroom No more than five occupants per unit.
Three-Bedroom No more than seven occupants per unit.

In the alternative, the licensee may display a similar notice, contiguous to the displayed license that states licensee's density requirements provided the requirements are as strict or stricter than the standards set by subsection (a)(1) of this section.

- (b) The licensee shall keep a current and up to date record that documents the number of tenants occupying each unit. The records shall be available for review by the City's multi-family program manager or designee during regular working hours and upon receipt of reasonable notice.
- (c) It shall be unlawful and a violation of this article for an owner, property manager, resident manager, or other responsible party to knowingly permit or allow a violation of any of the terms of this section. It shall be unlawful for a tenant to violate any of the terms of this section or to permit or allow any persons to reside in the dwelling unit in violation of this section.
- (d) Density requirements of subsection (a)(1) of this section shall not be applicable to tenants residing in a dwelling unit on the date this article was previously adopted, September 24, 2019, nor during the time these same tenants continue to reside in the same dwelling unit.
- (e) An owner shall not be prohibited from establishing a more restrictive density for each dwelling unit within a multi-family dwelling complex, provided the density is based upon persons per each established bedroom and complies with the Fair Housing Act. The established density shall be posted contiguous to the displayed license and shall be on a form provided by the apartment inspection program manager.

(Ord. No. 19-3268, § 3, 9-24-19)

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**Secs. 22-437—22-450. Reserved.**

*DIVISION 3. MINIMUM HOUSING STANDARDS FOR ALL RESIDENTIAL HOUSING  
/RESPONSIBILITIES/OWNER AND OCCUPANT*

**Sec. 22-451. Minimum floor area generally.**

Each dwelling unit shall contain at least 150 square feet of habitable floor space for the first occupant, and at least 100 square feet of additional habitable floor space for each additional occupant.

(Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-452. Minimum floor area for sleeping purposes.**

In each dwelling unit of two or more rooms, each room occupied for sleeping purposes shall contain at least 70 square feet of floor space for one occupant, and shall contain an additional 50 square feet of floor space for each additional occupant of said sleeping rooms.

(Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-453. Maximum density.**

Maximum density for each multi-family dwelling unit (occupant load) shall be as follows:

- (1) One-bedroom or efficiency unit, no more than three occupants per unit.
- (2) Two-bedrooms, no more than five occupants per unit.
- (3) Three-bedrooms, no more than seven occupants per unit.

(Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-454. Ceiling height.**

At least one-half of the floor area of every habitable room of a dwelling unit shall have a ceiling height of at least seven (7) feet; and the floor area of that part of any room where the ceiling height is less than five (5) feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.

(Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-455. Minimum responsibilities of owner.**

The owner, lessor, or property manager of an apartment, dwelling unit, multi-family complex, and one- or two-family dwellings shall be primarily responsible for the maintenance of the property, structural soundness, and operative condition of all installed systems, including but not limited to plumbing, electrical, heating, air conditioning systems thereof, and shall be responsible for the following:

- (1) Structure.

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- (2) Water and sewer systems in safe operating condition and free from leaks.
  - (3) Provide in all dwelling units a kitchen sink and a lavatory basin. Such kitchen sink and lavatory shall be connected to the municipal water and sewer systems.
  - (4) Provide in all dwelling units a flush water toilet and a bathtub or shower connected to the municipal water and sewer systems.
  - (5) Every kitchen sink, lavatory basin, and bathtub or shower in each dwelling unit required by the provisions of this article shall be connected and functioning with both hot and cold-water lines. The owner shall provide and maintain connected and functioning water-heating equipment and facilities for every dwelling unit which shall be connected with water lines with a design capability of heating water to a temperature of 120 degrees Fahrenheit as to permit an adequate supply of hot water to be drawn at every required kitchen sink, lavatory basin, and bathtub or shower at a temperature of not less than 100 degrees Fahrenheit. Such water-heating facilities shall be capable of meeting the requirements of this section regardless of whether or not the heating facilities of the apartment or dwelling unit are in operation.
  - (6) Air conditioning shall function to at least 20 degrees differential between the inside and outside temperature. If the owner pays the electrical bill, the owner shall provide the required electricity.
  - (7) Every dwelling unit or apartment with heating facilities shall be provided with a design capability of safely and adequately heating all habitable rooms to a temperature of at least 68 degrees Fahrenheit at a distance of three (3) feet above floor level, and the facilities shall be operable when necessary to maintain the temperature, but gas jets installed prior to 1978 may be provided in lieu of other heating facilities. Where the owner or property manager pays the fuel bills or utilities for the heating equipment, the owner or property manager shall be responsible to provide heat to each dwelling unit. Portable heating equipment, including but not limited to, kerosene heaters, portable propane heaters or portable electric heaters may not be used to meet the requirements of this section, other than for temporary emergency uses not to exceed fifteen (15) days when the devices are used in accordance with the manufacturer's instructions.
  - (8) Ensure that every bedroom in a dwelling unit shall have at least one window or opening facing directly to the outdoors capable of being opened to the maximum size allowed by the design of the window fixture.
  - (9) Repair all cracked or broken out (partial or complete) windows.
  - (10) All windows and doors must meet the requirements of the current building code, except those which conformed within all applicable laws at the time of their construction and which have been adequately maintained.
  - (11) Every opening in any dwelling unit which is used for ventilation purposes from a dwelling unit directly to or from outdoor space shall be equipped with insect-proof screening, which shall be provided by the owner and shall be installed and maintained in a manner affording complete protection against entry into the dwelling unit of flies, mosquitoes and other insects.
  - (12) Repair or replace all window screens on operable window(s).
  - (13) Maintenance, waterproof and repair of structure and materials on the exterior to prevent deterioration due to the elements which shall include but not be limited to: paint, gutters, loose siding, siding with holes, excessive cracks or rotted boards which permit air or water to penetrate rooms or the void spaces in walls or other structural components, loose roof covering, holes or leaks in roof which cause damage to the structure or rooms, rotting, and sagging or deteriorating supports for steps, stairs and porches.
  - (14) Exterminate insects, rodents or other pests in all occupied and unoccupied units of duplex, triplex or other multiple-family dwellings, a minimum of once a year by a state-licensed exterminator, and single-

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family dwellings as needed by the owner or by a state licensed exterminator. If the occupant fails to maintain the dwelling unit free from rodents, insects and vermin, such shall be the ultimate responsibility of owner.

- (15) Provide central garbage and refuse disposal where there are more than four dwelling units on the premises.
- (16) Provide and maintain railings for stairs, steps, balconies, porches, and elsewhere as specified in the building code in force at the time of construction. Replacement of any required railings shall be in compliance with the current edition of the building code. Buildings in existence at the time of adoption of this article may have their existing use continued if such use was legal at the time of the adoption of this article, provided such continued use is not dangerous to life.
- (17) Repair holes, cracks, loose surface materials and other defects in balconies, stairs, porches, steps, floors, walls, ceilings, entry ways, breezeways and sidewalks.
- (18) Maintain floors, walls, ceilings and all supporting structural members in a sound condition, capable of bearing imposed loads safely, in conformity with the current building code.
- (19) Repair or replace chimney flue and vent attachments that do not function properly.
- (20) Repair, replace dilapidated, failing or deteriorated retaining walls for health or safety hazards and erosion control.
- (21) Provide and maintain a moisture-resistant finish or material for the flooring or sub-flooring of each bathroom, shower room, and toilet room.
- (22) Provide screened cross-ventilation openings of not less than one and one half square feet for each 25 lineal feet of wall in each basement, cellar, and crawl space.
- (23) Eliminate a hole, excavation, sharp protrusion, and other object or condition that exists on the land and is reasonably capable of causing injury to a person.
- (24) Securely cover or close a well, cesspool, or cistern.
- (25) Provide drainage to prevent standing and stagnant water on the premises.
- (26) Remove dead trees or portions of dead trees and tree limbs that are capable of causing injury to a person.
- (27) Connect plumbing fixtures and heating equipment that the owner supplies in accordance with the applicable codes.
- (28) Provide and maintain in operating condition supply lines for electrical service to each dwelling unit intended for human occupancy.
- (29) Provide and maintain approved use and operation condition of electrical fixtures, appliances, circuits and outlets in compliance with the electrical code adopted by the city.
- (30) Electrical service disconnects on apartment buildings shall have approved identification (*e.g.* apartment/unit numbers or letters) placed on the front cover and in a position that is plainly legible and visible. These numbers/letters shall contrast with their background. Identification shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of one inch in height with a minimum stroke width of one-eighth inch.
- (31) Connect to a chimney or flue each heating and cooking device that burns solid fuel or burns a fuel that must be vented to the outside.
- (32) Maintain the interior of a vacant structure or vacant portion of a structure free from rubbish or garbage. Secure all vacant or unoccupied dwelling units from unauthorized entry and vandalism.

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- (33) Maintain the exterior of the property or structure under their control free from rubbish, garbage, and other conditions that would encourage infestation of insects, rodents, vermin, and unsanitary conditions.
  - (34) Secure all vacant or unoccupied dwelling units from unauthorized entry.
  - (35) Install and maintain multi-family complex parking lots, fire lanes and required paved areas, including legible parking stripes and fire lanes, in accordance with City ordinances.
  - (36) To the extent required by state law, maintain all required fire detection and extinguishing appliances including but not limited to: smoke detectors, fire alarm systems, fire hydrants and portable fire extinguishers. All dwelling units must be equipped with operable smoke detectors of an approved type. One hundred twenty volt smoke detectors with battery backup shall be located in each sleeping area, and hallways adjacent to each sleeping area. For purposes of this section, the fire marshal and/or building official will have final determination on what items are required based upon the codes in effect at the time the building was built and subsequent applicable changes. Multifamily units and complexes built prior to September 1, 1987 shall not be required to have smoke detectors powered by alternating current.
  - (37) Dryer exhaust ducts for clothes dryers shall terminate on the outside of the building and shall be kept free of lint and equipped with a back draft damper. Screens or cages shall not be installed at the duct termination.
  - (38) Maintain all swimming pool equipment in operating conditions.
  - (39) Maintain all swimming pools in a sanitary condition at all times.
  - (40) Provide and maintain all gas service lines to each dwelling unit that is heated by natural gas or has water heating devices or a cook stove fueled by natural gas. If the owner pays the gas bill, the owner shall provide necessary gas service.
  - (41) Remove or repair inoperable, junked, unregistered and or abandoned vehicle(s) from the property.
  - (42) Single-family occupancies shall have approved identifying numerals of a minimum (4) inches high with a minimum one-half inch stroke width and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.
  - (43) For multi-family properties, install and maintain premises identification numbers which shall be eight inches high with a stroke width of one inch minimum for all buildings and for all unit doors a minimum of two inches high with a stroke width of one-eighth inch minimum.
  - (44) For multi-family properties, provide reflective subsequent building addresses installed in conjunction with fire lane marking where a single street address number is used to designate the buildings official address. Subsequent building addresses shall be installed as follows:
    - a. The marking shall be a minimum of 24 inches by 12 inches red rectangle painted on the pavement, in conjunction to the red fire lane markings.
    - b. The red rectangle shall have white reflective numbers that indicate the street address of the building.
    - c. Numbers shall be in bold font, measuring a minimum of ten inches in height, easily readable from a moving vehicle.
    - d. Subsequent building addresses shall only be installed on private property, near the center of the building. Where the front and end of the building, or any part of the front or end of the building border a fire lane, the numbers shall be required on each side. Maintenance of the subsequent numbers shall be the same as required for fire lanes.

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- (45) Provide, in all dwelling units, safe and unobstructed means of egress leading to safe and open space at ground level. When an unsafe condition exists through lack of or improper location of exits, additional exits may be required to be installed. The use of burglar bars or other security devices that prevent an immediate exit from the interior of the dwelling unit is prohibited.
  - (46) Provide, in all multi-family complexes, safe and unobstructed means of egress required by the current building code in corridors and breezeways leading to safe and open space at ground level.
  - (47) Provide, in all multi-family dwelling complexes, stairways and under stairways free and clear of storage.
  - (48) Multi-family properties shall install and maintain on each balcony, patio, landing or similar structure of each multi-family dwelling unit an approved sign readily visible to the occupants that prohibits the use of any grill, hibachi, smoker, electrical heating element, or similar apparatus within ten feet of all apartment structures. Signs shall be at least 30 square inches with the word "PROHIBITED" in one inch letters, and the remaining message in at least one-fourth inch letter, red letters on white background, and provide the following warning:

-PROHIBITED- THE USE OF ANY GRILL, HIBACHI, OR SMOKER IN OR WITHIN TEN FEET OF ALL APARTMENT STRUCTURES, PATIOS AND CARPORTS. BEDFORD FIRE CODE - FINE UP TO \$2,000.00

- (49) Fences shall be adequately maintained by the owner(s) or person(s) in charge of the property and shall not become dilapidated or deteriorated.
- (50) The owner, lessor or property manager of an apartment, dwelling unit, multi-family complex and one- or two-family dwellings shall maintain the premises of the buildings, structures and property in accordance with the city Code of Ordinances, section 54-68 "Declaration of Nuisance."

(Ord. No. 19-3268, § 3, 9-24-19)

### **Sec. 22-456. Emergency telephone number.**

The owner or manager of a multiple family dwelling complex shall provide to each tenant an emergency telephone number, or other means of communication, which shall be answered 24 hours each day by an employee of the owner or property manager of the multiple family dwelling unit or City representatives in which the tenant resides in order that the tenant may report needed repairs, emergencies, or seek information or answers relative to landlord-tenant matters which cannot wait until regular business hours.

(Ord. No. 19-3268, § 3, 9-24-19)

### **Sec. 22-457. Disclosure of ownership.**

- (a) The owner, lessor, sub-lessor, or agent thereof of a dwelling unit shall disclose to the tenant at the time a lease is executed and to the City upon registration application the name and business address of the owner of the dwelling unit rented by the tenant, as well as the name and street address of any property management company which is managing the dwelling unit rented by the tenant in accordance with state law.
- (b) It shall be unlawful for any owner or manager to fail or refuse to comply with V.T.C.A., Property Code §§ 92.201, 92.202, 92.203 or 92.204, as amended.

(Ord. No. 19-3268, § 3, 9-24-19)

### **Sec. 22-458. Minimum responsibilities of occupant.**

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(Supp. No. 15)

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An occupant of an apartment, dwelling unit, multi-family complex, or a one- or two-family dwelling shall:

- (1) Maintain the exterior and interior of the property or structure under their control free from rubbish, garbage, and other conditions that would encourage infestation of insects, rodents, vermin, and unsanitary conditions.
- (2) Keep occupied areas and all plumbing equipment and facilities provided in a clean, sanitary condition at all times.
- (3) Connect plumbing fixtures and heating equipment that the occupant supplies in accordance with the applicable City codes.
- (4) Not alter a dwelling unit or its facilities so as to create a non-conformity with sections 22-431 through 22-537 of this article.
- (5) Adhere to all applicable garbage and trash disposal standards.
- (6) Not tamper with any required fire protection apparatus.

(Ord. No. 19-3268, § 3, 9-24-19)

**Secs. 22-459—22-469. Reserved.**

***DIVISION 4. INSPECTIONS***

**Sec. 22-470. Inspections authorized.**

- (a) The apartment inspection program manager, building official, fire marshal, code compliance official, or their designee is hereby authorized to make inspections as allowed by state or local law, to determine the condition of the premises located within the city in order that city officials may perform their duties of safeguarding the safety, health and welfare of the occupants and of the general public. The inspections that may be made include but are not limited to: (1) Property maintenance inspection-1 (PMI-1); (2) Property maintenance inspection-2 (PMI-2), if applicable; (3) Property maintenance inspection-3 (PMI-3), if applicable; (4) Follow-up inspections; and (5) any necessary pro-active or complaint-based inspections as required.
- (b) The owner, resident manager, or property manager, as a condition to the issuance of the license required by this article, shall consent and agree to permit and allow the apartment inspection program manager, building official, fire marshal, code compliance official, or their designee to make the following as-needed inspections when and needed to ensure compliance with this article.
  - (1) The apartment inspection program manager, building official, fire marshal, code compliance official, or their designee has right and access to inspect as allowed by state or local law, all portions of the premises and structures located on the premises.
  - (2) The apartment inspection program manager, building official, fire marshal, code compliance official, or their designee has right and access to inspect as allowed by state or local law, all unoccupied units upon giving reasonable notice to the owner, resident manager or property manager.
- (c) The regulations set forth by section 22-469 for property maintenance inspections do not apply to need-based or complaint-based inspections.
- (d) The apartment inspection program manager, building official, fire marshal, code compliance official, or their designee may enforce the provisions of this article upon presentation of proper identification to the occupant in charge of any unit, and may enter, with the occupant's permission, any unit between the hours of 8:00 a.m.

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and 5:00 p.m.; provided, however, that in cases of emergency where extreme hazards are known to exist which may involve imminent injury to persons, loss of life, or severe property damage, the apartment inspection program manager, building official, fire marshal, code compliance official, or their designee may enter a dwelling unit at any time, and the requirement for presentation of identification and the occupant's permission shall not apply. Whenever the apartment inspection program manager, building official, fire marshal, code compliance official, or their designee is denied admission to inspect any premises under this provision, inspection shall be made only under authority of a warrant issued by a magistrate authorizing the inspection. In applying for such a warrant, the apartment inspection program manager, building official, fire marshal, code compliance official, or their designee shall submit to the magistrate an affidavit setting forth their belief that a violation of this article exists with respect to the place sought to be inspected and the reasons for such belief. Such affidavit shall designate the location of such place and the name of the person believed to be the occupant thereof, if known. If the magistrate finds that probable cause exists for an inspection of the premises in question, a warrant may be issued authorizing the inspection, such warrant describing the premises with sufficient certainty to identify the premises. Any warrants issued will constitute authority for the apartment inspection program manager, building official, fire marshal, code compliance official, or their designee to enter upon and inspect the premises described therein.

(Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-471. Multi-family property maintenance inspection report.**

- (a) Upon final determination of a score established by the inspection process, a landlord will be provided a property maintenance inspection report for all applicable dwelling units within the multi-family dwelling complex.
- (b) The report shall be in written form as prescribed by the apartment inspection program manager.
  - (1) If required, the report shall include places for marking whether a dwelling unit complies with the standards set by this section and shall include the number of persons occupying the dwelling unit excluding overnight guests.
  - (2) The property maintenance inspection reports shall be maintained by the landlord for all applicable property conditions, buildings and identified dwelling units within the multi-family dwelling complex for a minimum of three (3) years.

(Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-472. Right-of-entry of owner.**

Every occupant of a dwelling unit shall give the owner thereof, the owner's agent or employee access to any part of such dwelling unit, or its premises, at all reasonable times for the purpose of making repairs or alterations or for such other purposes as are necessary to effect compliance with the provisions of this article.

(Ord. No. 19-3268, § 3, 9-24-19)

**Secs. 22-473. Notice of Violation.** A violation listed in a notice of violation issued under this Chapter shall be corrected in accordance with the time specified in the notice of violation, subject to the following:

- (1) A life-safety violation shall be corrected within 24 hours of the issuance of notice of violation. A life safety violation is defined as a violation of the International Property Maintenance Code as adopted by the City, City Charter, Code of Ordinances, or other applicable local, state, or federal law that represents an imminent threat of death or injury to persons on the premises of a multi-family dwelling;

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- (2) A critical violation shall be corrected within 72 hours of the issuance of the notice of violation. A critical violation is defined as a violation of the International Property Maintenance Code as adopted by the City, City Charter, Code of Ordinances, or other applicable local, state, or federal law that is capable of causing or contributing to injury or illness of occupants;
  - (3) A maximum of 30 days shall be allowed for the correction of a non-critical violation; and
  - (4) Deadlines to repair may be extended at the discretion of the Development Department. The Development Department or their designated inspector may approve a corrective action plan with benchmark compliance dates to be achieved by the landlord to demonstrate satisfactory progression toward compliance with the provisions of this chapter.

### **Sec. 22-474. Tenant's Rights.**

- (a) Signs. A registrant shall post and maintain signs, in English and in Spanish, on the premises of the property that include the following information:
  - (1) Emergency numbers. The names of designated employees or other authorized persons who shall be assigned to respond to emergency conditions, and a telephone number where said employees can be contacted during any 24-hour period. Emergency conditions shall include fire, natural disaster, flood, collapse hazard, burst pipes, or violent crime; and
  - (2) Notice for reporting code violations and other helpful links available to tenants. A sign for reporting code violations to the City and other helpful links available for tenants in a form approved by the Director.
- (b) Signs required by this section shall be a minimum of 12 inches by 24 inches. Sign facings shall be weather-proof. The signs shall have a white background with letters and numbers in a contrasting color. One sign per 50 units must be posted, and the signs must be posted outside and in the common areas of the property. If more than one sign is required under this section, the signs may not be placed in the same area of the property. Any changes in the information required in Subsection (A) must be updated within three business days of the change.
- (c) Posting of Annual Property Maintenance Score. A placard provided by the City identifying the annual PMI-1 score shall be posted in a visible location to the general public in the leasing office of each complex. The placard shall remain visible to all visitors of the leasing office for the year the score is valid.
- (d) All landlords must comply with Section 92.331 of the Texas Property Code (as amended). A landlord cannot take action against a tenant when the tenant:
  - (1) In good faith, exercises or attempts to exercise against a landlord a right to remedy granted to the tenant by lease, municipal ordinance, or federal or state statute;
  - (2) Gives a landlord a notice to repair or exercise a remedy under Chapter 92 of the Texas Property Code;
  - (3) Complains to a governmental entity responsible for enforcing building or housing codes, a public utility, or civic or nonprofit agency, and the tenant claims a building or housing code violation or utility problem; and believes in good faith that the complaint is valid, and that the violation or problem occurred; or
  - (4) Establishes or attempts to establish, or participates in a tenant organization.
- (e) All landlords must provide each leaseholder with a notice of tenants' rights in a form approved by the Director when issuing a Notice to Vacate for nonpayment of rent.

### **Sec. 22-475. Crime Prevention Addendum Required.**

- (a) The landlord of a multifamily dwelling complex shall provide the following crime prevention measures.
- (b) *Lighting.*

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- (1) Exterior illumination shall be provided at appropriate points adjacent to all building entrances, including individual dwelling units. Lighting shall be sufficient to illuminate areas where hazards may reasonably exist, and shall be operable between a half hour before sunset and a half hour after sunrise.
  - (2) Control mechanisms for such illumination shall be activated and deactivated by a photo cell or seasonally-adjusted timer switch, not operable by individual tenants of the complex except at individual dwelling units.
  - (3) A landlord shall repair all inoperable exterior lighting fixtures within a reasonable period of time after being notified that the fixture is not working. In no instance shall a reasonable period of time be deemed to mean more than seven days.

(c) *Vacant buildings.*

- (1) All openings in vacant buildings and dwellings shall be closed and secured from unlawful entry by the installation and maintenance of appropriate locking devices and intact doors and windows which are proportioned to securely and completely fit the openings.
- (2) Alternatively, with the approval of the Director, openings may be temporarily secured by means of the installation of proportioned wood materials in good condition. The surfaces of such materials exposed to the weather shall be protected with the application of exterior grade paint, or a similar weather resistant finish, which blends with the background color of the building.

(d) *Security gate access.*

- (1) A landlord of a multifamily dwelling complex which has unstaffed security gates that restrict vehicle access onto the premises shall provide the chief of police with master codes to the gates within fourteen (14) days of installation or change to the master codes so that police vehicles and personnel and ambulance and ambulance personnel are allowed unrestricted entry onto the premises when responding to emergencies and calls for service and routine patrols.
- (2) Prior to changing the master codes, the landlord shall notify the chief of police of the new codes.
- (3) All security gates shall be equipped with a manual override to be used in the event of a power outage or system failure. The landlord shall notify the chief of police of the location of the override at the time the landlord provides master codes.
- (4) Access through such security gates by fire trucks and fire personnel shall be provided as required by the fire code.
  - a. Fire lanes shall be maintained in good condition with clearly visible markings.
  - b. Fire lanes shall be marked by a four-inch red line with "No Parking—Fire Lane" stenciled with white paint every 25 feet.
  - c. Fire lanes shall be signed with approved traffic signs 12 inches wide and 18 inches tall which state, "No Parking—Fire Lane." A sign stating "Tow-Away Zone," produced on a white background with red lettering shall accompany each of these. Signs shall be mounted so that the bottom of the sign is six feet six inches from the grade.
  - d. Fire lanes shall be kept clear of obstructions such as motor vehicles, solid waste collection bins, equipment, or other similar items.

(e) *Graffiti abatement.* A landlord shall remove graffiti from the landlord's multifamily dwelling complex as required by city code.

(f) *Occupancy limits.* A landlord shall not permit a dwelling unit within the complex to be occupied other than by a family, as that term is defined within this code, and shall not permit the number of persons occupying a dwelling unit to exceed the occupancy load of the unit based on the standards set in the minimum building standards code.

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- (g) *Tenant responsibility.* Even the best security plans, devices, and systems cannot completely prevent crime. The best safety measures a tenant of a multi-family dwelling complex can utilize are those performed out of common sense and habit. Such measures include locking doors and windows, not opening doors to strangers, and promptly reporting malfunctioning security devices and exterior lighting to the landlord.
- (h) *Multi-family dwelling complex consisting of four or more units.* The landlord at a multi-family dwelling complex consisting of four or more units shall require the prospective tenant to execute a lease. The lease shall include one of the following provisions for each new lease or lease renewal for a unit which is executed after January 1, 2026:
- (1) A standardized lease promulgated by the Texas Apartment Association containing a prohibition of criminal conduct on or about the premises;
  - (2) A standardized lease promulgated by the Texas Association of Realtors containing a prohibition of criminal conduct on or about the premises;
  - 3) A lease with an equivalent provision to (h)(1) or (h)(2) above containing a prohibition of criminal conduct on or about the premises; or
  - (4) A crime free lease addendum to read as follows: In consideration of the execution or renewal of a lease of the dwelling unit identified in the lease, owner, and resident agree as follows:
    - a. Resident shall not engage in any activity on or near the dwelling unit premises that would subject the resident to a penalty of a Class C misdemeanor that involves possession of drug paraphernalia, assault, or disorderly conduct; Texas Penal Code Class A or B misdemeanors; Texas Penal Code Felony or Texas Health and Safety Code violation or engage in any hazardous conduct that otherwise jeopardizes the health, safety and welfare of the landlord, his or her agent or other tenant or involving imminent or actual serious property damage. Nothing in this provision shall be construed as requiring or encouraging the eviction or termination of a lease of a victim of domestic violence.
      1. Resident shall not permit any household member or guest to engage in any activity on or near the dwelling unit premises that would subject the resident to a penalty of a Class C misdemeanor that involves possession of drug paraphernalia, assault or disorderly conduct; Texas Penal Code Class A or B misdemeanors; Texas Penal Code Felony or Texas Health and Safety Code violation or engage in any hazardous conduct that otherwise jeopardizes the health, safety, and welfare of the landlord, his or her agent, or other tenant or involving imminent or actual serious property damage. Nothing in this provision shall be construed as requiring or encouraging the eviction or termination of a lease of a victim of domestic violence.
      2. VIOLATION OF THE ABOVE PROVISIONS SHALL BE A MATERIAL VIOLATION OF THE LEASE AND GOOD CAUSE FOR IMMEDIATE TERMINATION OF THE TENANCY. A single violation of any provisions of this addendum shall be deemed a serious violation and a material noncompliance with the terms of this lease.. Unless otherwise provided by law, proof of a violation of law prohibited by this addendum shall not require a criminal conviction, but shall be by a preponderance of the evidence.
      3. In case of conflict between the provisions of this addendum and any other provisions of the lease, the provisions of the addendum shall govern.
      4. This lease addendum is incorporated into the lease executed or renewed this day between owner and resident.

- (i) *Crime prevention.* Each multi-family dwelling complex consisting of eight or more units shall be subject to a crime prevention through environmental design (CPTED) inspection conducted by the city who shall advise the landlord of the findings.

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(j) *Landlord; offense.* A landlord commits an offense if the landlord knowingly violates any provision of this section or fails to comply with any provision of this section.

**Sec. 22-476—22-490. Reserved.**

*DIVISION 5. SUBSTANDARD DWELLINGS*

**Sec. 22-491. Abatement of substandard buildings.**

Any substandard condition in an apartment, dwelling unit, multifamily dwelling complex, and one- or two-family dwellings regulated by this article shall be subject to abatement in accordance with article IX of this chapter.

(Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-492. Repair/vacation/demolition of substandard buildings.**

Repair, vacation, or demolition of an apartment, dwelling unit, multifamily dwelling complex, and one- or two-family dwellings regulated by this article shall be subject to the provisions in accordance with article IX of this chapter.

(Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-493. Posting notice/substandard buildings.**

Notice shall be subject to the provisions in accordance with article IX of this chapter.

(Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-494. Violation for failure to obey posted notice.**

A person commits an offense if:

- (1) Without authority from the City, they remove or destroy a placard placed by the City.
- (2) The person occupies a vacant dwelling unit on which a placard has been placed.
- (3) The owner and/or property manager of a dwelling unit, authorizes a person to occupy a vacant dwelling unit on which the City has placed a placard.

(Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-495. Emergency action by the City.**

Where an abandoned dwelling unit or units, apartment complex or multiple family dwelling complex exists, or an unsanitary swimming pool or foundation exists, and the administrator, building inspector, fire marshal or code compliance officer determines said buildings or pool or foundation pose an immediate danger to the life or safety of any person, said official may give written notice to the owner or property manager that the abandoned dwelling unit or units, apartment or multiple family dwelling complex must be fenced according to this section or that the unsanitary swimming pool or fountain may be secured or drained, and if said remedial actions are not accomplished

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within ten (10) days after delivery of written notice, said official may have a fence erected to enclose the property or have the pool secured or drained, and the City may place a lien upon the real estate in which any expenses are incurred by the City in performing such work. . On filing with the county clerk of Tarrant County a statement by the administrator of such expenses, the City shall have a lien thereon to secure the expenditure so made and ten percent interest per annum on the amount from the date of such expense. For any such expenditures, and interest, as aforesaid, suit may be instituted and foreclosure had in the name of the city; and the statement so made, as aforesaid, or a certified copy thereof, shall be prima facie proof of the amount expended in any such work or improvements.

The specifications for the fence provided for herein shall be six (6) feet in height. The City may choose to include three strands of barb wire about the six-foot fence on vertical arms or arms directed inward, notwithstanding any other ordinance. Appropriate placards shall be posted in conspicuous locations throughout the area.

(Ord. No. 19-3268, § 3, 9-24-19)

**Secs. 22-496—22-510. Reserved.**

*DIVISION 6. APPEALS TO THE CITY*

**Sec. 22-517. Apartment inspections appeals to the City; property maintenance inspection report.**

- (a) A landlord may appeal scores contained in the property maintenance inspection report or tier designation to operate the complex as provided in this section.
- (b) An appeal shall be filed at the office of the administrator no later than thirty (30) days following the date the property maintenance inspection report was delivered to the landlord. Appeals filed after that date shall be considered untimely and the property maintenance inspection report shall be considered a final determination.
- (c) All questions of interpretation and enforcement shall be first presented to the office of the administrator, and such questions shall be presented to the building and standards commission (established by section 22-31 of this Code), only on appeal from the decision of the administrative official. Any person aggrieved by the interpretation or by the inspection score decision or ruling of the apartment inspection program manager, shall have the right to make an appeal to the building and standards commission. A fee as assigned in appendix A "Schedule of Fees" shall accompany such notice of appeal. Such an appeal shall be considered at a commission meeting and shall be subject to the regulations contained herein for commission meetings.
- (d) Within a period of thirty (30) days from the filing of the appeal, the building and standards commission shall hear the appeal, together with the testimony of all parties concerned, and render a decision thereon within three days thereafter. In hearing such an appeal, the commission shall not have the power to unconditionally waive or set aside the requirements of the minimum housing code ordinance, but shall have the power to interpret its provisions. The applicant shall have the burden of proving that the property conditions existing at the time the inspection was performed did not warrant the action taken by the City.
- (e) Appeal to district court. Any person who may be aggrieved by the decision of the building and standards commission from a public hearing shall have a right of appeal to the Tarrant County district court pursuant to V.T.C.A., Local Government Code § 214.0012.

(Ord. No. 19-3268, § 3, 9-24-19)

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**Sec. 22-518. Substandard buildings appeals to the City.**

- (a) The owner, resident manager, or property manager of such property may appeal any decision or order of the administrator to the building and standards commission, by filing at the office of the administrator within thirty (30) days of such decision or order, a written appeal to the building and standards commission on a form to be supplied by the building and standards commission.
- (b) As soon as practicable after receiving the written appeal, the building and standards commission shall fix a date, time, and place for the hearing of the appeal. Written notice of such date, time, and place of the hearing shall be given to each appellant by the building and standards commission, or his agent, either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his address shown on the written appeal, or if none, to the address shown on the last issued license.
- (c) Failure of any person to file an appeal in accordance with the provisions of this Code shall constitute a waiver of his right of a hearing by the building and standards commission or the administrator.

(Ord. No. 19-3268, § 3, 9-24-19)

**Secs. 22-519—22-530. Reserved.**

***DIVISION 7. UTILITIES TO MASTER METERED MULTI-FAMILY DWELLING  
COMPLEXES***

**Sec. 22-531. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Essential utility service* means gas, electric, water and sanitary sewer.

*Master metered multi-family dwelling complex* means a multi-family dwelling complex where the occupants are provided one or more utility services for which they do not pay the utility company directly.

*Utility company* means the entity providing gas, electric service, water or sanitary sewer to a master metered multi-family dwelling complex.

*Utility interruption* means the termination of utility service to a master metered multi-family dwelling complex by a utility company for nonpayment of billed service or non-compliance with an applicable code.

(Ord. No. 19-3268 , § 3, 9-24-19)

**Sec. 22-532. Records of ownership and management maintained by utility companies.**

- (a) Before providing utility service to a new account at a master metered multi-family dwelling complex, a utility company shall obtain:
  - (1) The name and address of the owner or owners of the complex;
  - (2) The name and address of the party responsible for paying the utility bills; and
  - (3) The name and address of any lien holders or mortgagees, if any.

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- (b) The utility company shall maintain a record of the information obtained under subsection (a) of this section and shall make the information available to the administrator.
  - (c) The applicant for utility service shall provide the information required in subsection (a) of this section to the utility company.

(Ord. No. 19-3268 , § 3, 9-24-19)

**Sec. 22-533. Notice to tenants.**

- (a) The landlord of a master metered multi-family dwelling complex shall maintain a notice in accordance with subsection (b) of this section containing the name, address and telephone number of the person with authority and responsibility for making payment to the utility companies for utility bills. The landlord shall correct the notice within ten (10) days of any change in the information given in the notice.
- (b) The notice must be made available upon written request from any tenant.
- (c) For the purpose of this section, the notice may be placed on the inside of a glass door or window in the property manager's office or a tenant's apartment as long as all requirements of subsection (a) of this section are met.
- (d) A person commits an offense if he or she knowingly removes or mutilates a posted notice required under subsection (a) of this section.
- (e) It is a defense to prosecution under subsection (d) of this section if the person was authorized by the landlord to replace the notice in order to correct the information.

(Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-534. Notice of utility interruption.**

- (a) A utility company shall make a reasonable effort, including but not limited to messenger delivery, to provide notice of a pending utility interruption to tenants of a master metered multi-family dwelling complex.
- (b) A person commits an offense if he or she knowingly:
  - (1) Interferes with an employee of a utility company posting notices of a utility interruption at dwelling units of a master metered multi-family dwelling complex; or
  - (2) Removes a notice of utility interruption posted at a dwelling unit of a master metered multi-family dwelling complex, except that it shall not be an offense for the resident of the dwelling unit from which notice was removed to remove such notice.
- (c) A utility company providing gas, electricity, water or sanitary sewer shall send to the administrator a copy of each termination of service letter or notice sent to the landlord of a master metered multi-family dwelling complex prior to disconnecting service.

(Ord. No. 19-3268, § 3, 9-24-19)

**Sec. 22-535. Nonpayment of utility bills; essential utility service.**

- (a) The party responsible for paying utility bills of a master metered multi-family dwelling complex commits an offense if there is failure to pay an essential utility bill and the nonpayment results in the interruption to any

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dwelling unit of a utility service essential to the habitability of the unit and to the health of the occupants. Essential utility services are gas, electric, water and sanitary sewer.

- (b) The party responsible for paying utility bills of a master metered multi-family dwelling complex who violates subsection (a) of this section is guilty of a separate offense for each dwelling unit to which utility service is interrupted.
- (c) It is a defense to prosecution under this section that the tenant occupying a dwelling unit to which utility service is interrupted is in arrears in rent to the multi-family dwelling complex.

(Ord. No. 19-3268, § 3, 9-24-19)

### **Sec. 22-536. Notice of violation.**

- (a) When the administrator determines that there is a violation of this article, he or she shall give notice of the violation to the owner or the person responsible for paying utility bills. The notice must be in writing, specifying the alleged violations and providing a length of time for compliance. Notices shall be effective as follows:
  - (1) Notice to the owner of a multiple-family dwelling complex shall be effective upon placing the notice in the U.S. mail, postage paid and addressed to the name and address shown on the multiple-family dwelling complex application for the current multiple-family dwelling complex license, or by hand delivery.
  - (2) Notice to the owner of a dwelling unit or units which do not constitute a multiple-family dwelling complex shall be effective upon placing the notice in the U.S. mail, postage paid, to the owner's address shown on the latest Tarrant Appraisal District tax roll, or by hand delivery to the owner.
- (b) If the owner of the property resides outside of Tarrant County, the administrator may give notice to the property manager. Upon receipt of a notice of violation, the property manager shall notify the owner of the specifics of the notice of violation and shall make every reasonable effort to have the owner correct the violation.
- (c) The administrator has the authority to enforce provisions of this article.

(Ord. No. 19-3268, § 3, 9-24-19)

### **Sec. 22-537. Penalty.**

Any person, firm, or corporation violating the terms and provisions of this article shall be deemed guilty of a misdemeanor, and shall be punished as provided in section 1-7 of this Code of Ordinances, and each day that such violation continues shall be as a separate offense; this penalty shall be cumulative of all other remedies. Any such violation shall be deemed as a violation of a provision governing public health and sanitation under said section 1-7 of this Code.

(Ord. No. 19-3268, § 3, 9-24-19)

### **Secs. 22-538—22-550. Reserved.**