

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING TITLE XV OF THE MANSFIELD CODE OF ORDINANCES, “LAND USAGE,” PERTAINING TO REGULATIONS FOR VACANT BUILDINGS AND PROPERTIES; PROVIDING THAT THIS ORDINANCE BE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mansfield, Texas (“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, vacant commercial buildings exist within the City of Mansfield, Texas; and

WHEREAS, buildings that remain vacant discourage economic development; become an attractive nuisance for children; are harborage for rodents and other vermin; an invitation for vagrants and criminals; become more vulnerable to arson; have an adverse impact on nearby businesses and residences and their property values; and are a public nuisance; and

WHEREAS, that the cost of abating, securing or demolishing such buildings often becomes the responsibility of the City by default, causing taxpayers to bear the costs of remedial action. Accordingly, it is the purpose of this Ordinance to assure that owners of such buildings cannot evade their legal responsibilities to abate, maintain, or demolish such structures; and

WHEREAS, the State of Texas recognized the potential need to address vacant buildings in Section 214.231 of the Local Government Code; and

WHEREAS, the City Council of the City of Mansfield deems that a vacant building registration program that allows the City to monitor vacant buildings, their occupancy or demolition and ensures their maintenance, security, repair and return on economic usefulness promotes the protection of the health, safety, welfare and morals of the residents and the general public;

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

SECTION 1.

That Title XV of the Code of Ordinances, City of Mansfield, Texas is hereby amended by adding a new Chapter 157 as shown in Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2.

That the provisions of this ordinance shall apply to the properties located with Tax Increment Finance Zone No. 2 as shown on Exhibit "B" attached hereto and made a part hereof for all purposes.

SECTION 3.

That fees for the registration and inspection of vacant buildings and properties shall be charged in the following amounts:

(A) A registration fee of \$50.00 shall be charged to the owners of vacant buildings or properties for registration for the first year of vacancy. For the second year and each subsequent year, an annual registration fee of \$250 shall be charged. A separate fee shall be assessed for each vacant building or property.

(B) An annual inspection fee of \$50.00 shall be charged to the owner of a vacant building or property for the inspection of the premises to determine compliance with the provisions of Chapter 157. A separate fee shall be assessed for each vacant building or property.

SECTION 4.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5.

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the ordinance as a whole.

SECTION 6.

Any person, firm or corporation violating any of the provisions of this ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7.

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the _____ day of _____, 2020.

Second reading approved on the _____ day of _____, 2020.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2020.

David L. Cook, Mayor

ATTEST:

Susana Marin, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney