

*****DIVISION 2. INTERNATIONAL PROPERTY MAINTENANCE CODE**

Sec 5-302. International Property Maintenance Code – Adopted. The International Property Maintenance Code, 2009 Edition as published by the International Code Council, Inc., a copy of which is on file in the office of the City Secretary, as amended by Sec. 5-303, administered and enforced by the office of the building official is hereby adopted by reference and designated as the Property Maintenance Code of the City as though such code were copied at length in this article.

Sec 5-303. Same – Deletions and Amendments. The property maintenance code adopted in this article is hereby amended and changed in the following respects:

*****Section 101.1 Change to read as follows:**

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

*****Section 103.5 change to read as follows:**

Section 103.5 Fees. The fees for activities and services performed by this department in carrying out its responsibilities under this code shall be set by the city manager from time to time.

*****Section 111; Delete entire section and insert the following:**

**SECTION 111
MEANS OF APPEAL**

111.1 Application for appeal. Any person shall have the right to appeal a decision of the code official to the board of appeals established by ordinance. The board shall be governed by the enabling ordinance.

(4)*Section 304.14 Insert dates.**

Section 304.14 Insect screen. During the period from 1 January to 31 December, every door, ...the remainder unchanged.

*****Section 602.3 Insert dates.**

Section 602.3 Heat supply. Every owner ..., to furnish heat to the occupants thereof shall supply heat during the period from 1 November to 30 April to maintain a temperature of not less than 68° F (20C) in all habitable rooms, bathrooms, and toilet rooms.

*****Section 602.4 Insert dates.**

Section 602.4 Occupiable work space. Indoor occupiable work space shall be supplied with heat during the period from 1 November to 30 April to maintain a temperature of not less than 65° F (19C) during the period the space is occupied.

***** 704.3 Add Second Paragraph to Exception**

Section 704.3 Power Source. Exception: First paragraph to remain the same, second paragraph to read:

This exception does not apply to the minimum housing requirements for properties subject to the Rental Registration Program.

***** 704.4 Add Second Paragraph to Exception 1.**

Section 704.4 Interconnection. Exception: Add second paragraph to exception 1.

This exception does not apply to the minimum housing requirements for properties subject to the Rental Registration Program.

*****Section 705 Add Section 705, 705.1, 705.2 and 705.3 to read as follows.**

Section 705 CARBON MONOXIDE ALARMS

Sec. 705.1 Carbon monoxide alarms. For new construction, an approved carbon monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in *dwelling units* within which fuel-fired *appliances* are installed and in dwelling units that have attached garages.

Sec. 705.2 Where required in existing dwellings. Where there is a change of tenant in a rental unit or work requiring a *permit* occurs in existing *dwellings* that have attached garages or in existing dwellings within which have fuel-fired *appliances* exist, carbon monoxide alarms shall be provided in accordance with section 705.1.

Sec. 705.3 Alarm requirements. Single station carbon monoxide alarms shall be listed as complying with U 2034 and shall be installed in accordance with this code and the manufacturer's installation instructions.

Sec. 5-304 thru 5-320. Reserved.

Article VIII. and Article IX. Unchanged.

Section 3. If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portion of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 4. That this Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

Section 5. Any person, firm or corporation violating any provision of this Ordinance shall be

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deemed guilty of a misdemeanor and upon final conviction thereof fined an amount not to exceed two thousand dollars (\$2,000.00) for health or safety violations and five hundred dollars (\$500.00) for all others.

Section 6. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section 7: This Ordinance shall take effect from and after its date of passage in accordance with law, and it is so ordained.

IT IS SO ORDERED.

Passed on first reading on the 22nd day of March, 2011, by a vote of 6 to 0.

Passed on second reading on the 12th day of April, 2011, by a vote of 6 to 0.

CITY OF HURST

By: Richard Ward
Richard Ward, Mayor

ATTEST:

Rita Frick
Rita Frick, City Secretary

Approved as to form and legality:

Paul Floyd
City Attorney