

### DIVISION 3. RESERVED

**Sec. 5-206 thru 5-225. Reserved.**

### DIVISION 4. REGISTRATION OF ELECTRICIANS; CERTIFICATE

**Sec. 5-226. thru 5-240. Unchanged.**

**Sec. 5-241 thru 5-250. Reserved.**

### DIVISION 5. WORK PERMITS

**Sec. 5-251 thru 5-260 Unchanged.**

**Sec. 5-261 thru 5-275. Reserved.**

**SECTION 7:** That the City of Hurst Code of Ordinances be amended by revising Chapter 5, Article VI “Reserved” by deleting the current Chapter 5, Article VI “Reserved” replacing said deleted sections and retaining sections as shown below for Chapter 5, Article VI “International Pool and Spa Code” to read as follows:

## **ARTICLE VI. INTERNATIONAL POOL AND SPA CODE**

### **DIVISION 1. GENERAL**

**Sec. 5-276. International Pool and Spa Code– Adopted.** The International Pool and Spa Code, 2015 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. 5-277, administered and enforced by the office of the building official is hereby adopted by reference and designated as the Pool and Spa Code of the City as though such code were copied at length in this article.

**Sec. 5-277. Same – Deletions and Amendments.**

**(1) 101.1 Title. Add City of Hurst as NAME OF JURISDICTION.**

**(2) PART 2- ADMINISTRATION AND ENFORCEMENT Change DEPARTMENT OF BUILDING SAFTY TO Building Inspection Department, here and through out.**

**(3) 105.3.1 Add new section as follows :**

**105.3.1 Pools in Flood Hazard Areas.** Pools requesting to be located in flood hazard areas will submit a Flood Development Permit, provided by the city, along with the construction documents.

**(4) 105.6 Fees ; change subsection 105.6.2 change to read as follows :**

**105.6.2 Fee Schedule.** The fees for all swimming pool or spa work shall be set by the City Manager and reviewed by City Council from time to time.

**(5) 107.2 Change 107.2 to read as follows:**

**107.2. Notice of violation.** The code official is authorized to serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of work in violation of the provisions of this code, or in violation of a detail statement or the *approved* construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

**(6) 107.2 Change 107.3 to read as follows:**

**107.3 Prosecution of violation.** The code official shall request the legal counsel of the City of Hurst to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful pool or spa in violation of the provisions of this code or of the order or direction made pursuant thereto. It shall not be required to provide notice as set forth in section 107.2 prior to instituting the appropriate proceedings, and providing notice shall not be considered an element of the offense or a requirement before prosecution or other legal proceeding.

**(7) 107.2 Change 107.4 to read as follows:**

**107.4 Violation penalties.** Any person who shall violate a provision of this code, shall fail to comply with any of the requirements thereof or erect, install, alter or repair a pool or spa in violation of the *approved* construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed Two Thousand dollars (\$2,000.00) for health or safety violations and not to exceed Five Hundred Dollars (\$500.00) for all other violations. Each day that a violation continues shall be deemed a separate offense.

**(8) 107.2 Change 107.5 to read as follows:**

**107.5 Stop work orders.** Upon notice from the code official that work is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person performing the work. The notice shall state the conditions under which work is authorized to resume. The code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform by the code official to remove a violation or unsafe condition, shall be liable as set forth above in Section 107.4.

**(9) Section 108; Delete entire section and insert the following:**

**SECTION 108  
MEANS OF APPEAL**

**108.1 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.

**Sec. 5-278 thru Sec. 5-293. Reserved.**

**SECTION 8:** That the City of Hurst Code of Ordinances be amended by revising Chapter 5, Article VII "Substandard Buildings" by deleting Chapter 5, Article VII, "Substandard Buildings" replacing said deleted sections and retaining sections as shown with Chapter 5, Article VII "Substandard Buildings and International Property Maintenance Code" Division 1 "Substandard Buildings" and Division II "International Property Maintenance Code" to read as follows:

**ARTICLE VII. SUBSTANDARD BUILDINGS AND INTERNATIONAL  
PROPERTY MAINTENANCE CODE**

DIVISION 1. SUBSTANDARD BUILDINGS

**Sec. 5-294 thru 5-301 Unchanged.**

DIVISION 2. INTERNATIONAL PROPERTY MAINTENANCE CODE

**Sec 5-302. International Property Maintenance Code – Adopted.** The International Property Maintenance Code, 2015 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:

*(1) 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.”

*(2) 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.

*(3) Section 106.3 change to read as follows:*

**106.3 Prosecution of violation.** Any person failing to comply with any provisions of this code or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor as determined by the Municipal Court. This code governs fire, safety, zoning or public health and sanitation and such violations are subject to a fine not to exceed two thousand dollars (\$2,000.00). Each day a violation continues shall be a separate offense.