

THE CITY OF LOG CABIN, TEXAS  
ORDINANCE NUMBER 117

BUILDING REGULATIONS

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THE CITY OF LOG CABIN, TEXAS  
ORDINANCE NUMBER 117  
BUILDING REGULATIONS

AN ORDINANCE COMBINING BOTH THE MINIMUM STANDARDS ORDINANCE #48-C AND THE SUBSTANDARD STRUCTURES ORDINANCE #49-C TOGETHER BY MAKING ONE: BY ENACTING A MINIMUM STANDARDS CODE ORDINANCE ESTABLISHING AND PROVIDING FOR MINIMUM REQUIREMENTS FOR DWELLINGS, BOTH RESIDENTIAL AND COMMERCIAL, EQUIPMENT AND FACILITIES, VENTILATION AND LIGHT, SAFE AND SANITARY MAINTENANCE, INGRESS AND EGRESS, FOR MAINTENANCE AND INSPECTION OF VACANT BUILDINGS; AND ALSO AN ORDINANCE FOR SUBSTANDARD STRUCTURES, PROVIDING FOR REGULATION OF SUBSTANDARD STRUCTURES IN THE CITY OF LOG CABIN, TEXAS; FOR DEFINITIONS OF SUBSTANDARD STRUCTURES, DANGEROUS STRUCTURES, ABATEMENTS (DEMOLISH & REMOVAL) NUISANCES, FOR FINES, PENALTIES, FEES, AND COSTS INVOLVED IN THE REGULATION OF SUBSTANDARD STRUCTURES IN THE CITY OF LOG CABIN, TEXAS, FOR THE PROVISION OF A SERERANCE AND REPEALING CAUSE.

NOW THEREFORE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOG CABIN, TEXAS:

- A. The City adopts, in its entirety, The International Building Code, 2003.
- B. The City adopts, as part of its substandard building regulations, the Uniform Code for the Abatement of Dangerous Buildings.
- C. The Uniform Housing Code herein adopted is adopted in its entirety, save and except for Section 203 and Chapters 11, 12, 13, 14, 15 and 16.
- D. The Uniform Code for the Abatement of Dangerous Buildings herein adopted is adopted in its entirety, save and except for Sections 205 and 107 and Chapters 4, 5, 6, 8 and 9.

## **SECTION I. DESIGNATION OF OFFICIAL**

When this ordinance or any applicable Code of the State of Texas refers to the duties of certain officials, the official designated by the city shall be the Ordinance Officer and/or Police Chief and those who he authorizes and designates to act under his authority. If he so desires, the mayor may designate an official to perform such duties as are assigned to the Ordinance Officer and/or Police Chief. The City Council and/or Mayor is authorized to devote such personnel under his direction to the authority of the Ordinance Officer and/or Police Chief or other designee to the extent necessary to accomplish enforcement of the provisions of this subchapter. Failure of such personnel to satisfactorily respond to the duties so assigned shall be reported by the ordinance Officer and/or Police Chief to the Mayor and/or City Council. The Ordinance Officer and/or Police Chief or his designee in enforcement of this ordinance and shall act as directed by the ordinance Officer and/or Police Chief.

## **SECTION II. MINIMUM REQUIREMENTS FOR EQUIPMENT AND FACILITIES.**

A. No person shall occupy, or let to another for occupancy and no owner shall suffer or permit any person to occupy any dwelling or dwelling unit for the purpose of living, sleeping, cooking or eating therein or any building for any purpose which does not comply with the following minimum requirements:

1. Every building intended for human occupancy and every dwelling unit shall contain a room which affords privacy to a person within said room and which is equipped with flush water closed and a lavatory basin in good working condition and properly connected to a water and sewer system approved by the Zoning and Building Standards Commission. Such room shall contain a window which may be opened for outside air or mechanical or gravity ventilation in proper operating condition which meets the requirements of the Building Code.
2. Every dwelling unit shall contain, within a room which affords privacy to a person within said room, a bathtub or shower in good working condition and properly connected to a water and sewer system approved by the Board.
3. The water closet, lavatory and bath or shower required herein may be located in one room provided that such room is separate from all habitable rooms in the dwelling unit.
4. No dwelling or dwelling unit containing two (2) or more sleeping rooms shall have room arrangements so that access to a bathroom or water closet compartment intended for use by occupants of more than one (1) sleeping room can be had only by going through another sleeping room, nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room or a bathroom or water closet compartment.

5. Every dwelling unit shall contain a kitchen sink.
6. Every kitchen sink, lavatory, bathtub or shower and water closet required by this Code shall be maintained in good operating condition and shall be properly connected to the city's water and sewer system in accordance with Ordinance #90E.
7. Every kitchen sink, lavatory, bathtub or shower required by this Code shall be connected and supplied with hot and cold running water. The hot water shall be supplied at a minimum temperature of 120 degrees Fahrenheit.
8. Every dwelling unit shall have heating facilities which are properly installed, are maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms, bathrooms and water closet compartments contained therein to a temperature of 68 degrees Fahrenheit, at a distance of 18 inches above floor level when the outside temperature is minimum 10 degrees Fahrenheit, provided that gas or electric appliances designed exclusively for cooking or water heating purposes shall not be considered as heating facilities within the meaning of this provision.
9. During that portion of each year when the Commission deems it necessary, the windows and doors and other openings to external air of every dwelling unit shall be equipped with adequate screens and appliances so attached and arranged as to prevent the ingress of flies and mosquitoes to the interior of such dwelling unit. Such openings in non-residential buildings used or intended to be used to provide natural ventilation shall be equipped with adequate screens and appliances as above.
10. Every habitable room shall contain at least two (2) separate floor and wall type electric convenience outlets, or one (1) such convenience outlet and one (1) supplied electric light fixture, and every water closet compartment, bathroom or hall, furnace room or laundry room shall contain at least one (1) wall or ceiling type electric light fixture. Every kitchen shall have an additional grounded duplex electric convenience outlet in addition to the requirements for a habitable room and this extra outlet shall be a minimum of six (6) feet from any other required outlet.
11. Every public hall, stairway and passageway in a dwelling containing four (4) or more dwelling units shall be adequately lighted at all times. Every public hall, stairway and passageway in structures devoted solely to dwelling occupancy and containing less than four (4) dwelling units shall be supplied with conveniently located switches, controlling an adequate lighting system which may be turned on as needed.

12. Every dwelling unit shall be supplied with adequate closeable rubbish and garbage disposal facilities or storage containers, which prevent access by insects, rodents or other pests.

13. Every dwelling unit shall be arranged in such a manner that each room is accessible from every other room without the use of hallways, rooms or other areas not exclusively a part of such dwelling unit. No dwelling unit shall be accessible from any hallway, room or other area not exclusively a part of such dwelling unit except through a doorway equipped with a door and a lock.

14. Heating plants designed or intended to serve more than one (1) dwelling unit shall not be located in a habitable room.

15. Sleeping rooms in dwelling units containing one (1) or more sleeping rooms must have closeable doors that afford privacy.

### **SECTION III. MINIMUM REQUIREMENTS FOR VENTILATION AND LIGHT**

A. No person shall occupy as owner-occupant or let to another for occupancy, and no owner shall suffer or permit any person to occupy and dwelling unit for the purpose of living, sleeping, cooking, or eating herein, which does not comply with the following minimum requirements.

1. Subject to the limitation provided in subsection two (2) of the Section every habitable room, except a kitchen having a floor area not exceeding eighty (80) square feet, shall have at least one window facing directly outdoors. The minimum total window area, computed on the basis of clear glass surface, for every habitable room shall be eight percent (8%) of the floor space of such room. Artificial lighting may be permitted in place of natural if in accordance with the Building Code, except that sleeping rooms must have operable egress in accordance with the Building Code.

2. Whenever a window of any such room faces or abuts on any structure located less than three (3) feet from the window and extending to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area.

3. Every habitable room shall have one (1) or more of the following ventilation systems:

a. At least one (1) window which can be easily opened, with a total of all such operable window area in such room at least forty-five percent (45%) of the minimum window area size required by subsection one (1) of this Section.

b. A ventilator or similar device, leading directly to outside air, with effective opening area equivalent to the operable window area required under subsection (3) (a) of this Section.

c. A forced air ventilation system, properly installed, maintained in safe and good working condition, supplying outside air to such room which meets the requirements of the Building Code.

#### **SECTION IV. MINIMUM REQUIREMENTS FOR SAFE AND SANITARY MAINTENANCE: DWELLING UNITS AND OTHER BUILDINGS.**

A. No person shall occupy as owner-occupant or let to another for occupancy and no owner shall suffer or permit any person to occupy any dwelling or dwelling unit for the purpose of living, sleeping, cooking or eating therein, or any building or real property for any purpose, which does not comply with the following minimum requirements.

1. Every foundation, floor, wall, ceiling and roof shall be reasonably weather-tight, watertight, and rodent-proof, shall be capable of affording privacy, and shall be well maintained and kept in good condition and repair.

2. Every window and exterior door shall be reasonably weather-tight, watertight, and rodent-proof, and shall be kept in good repair.

3. Every plumbing fixture and water and waste pipe shall be maintained in good sanitary working condition, free from defects, leaks, and obstruction.

4. Every water closet compartment floor surface and bathroom floor surface shall be constructed and maintained so as to permit such floor to be easily kept in a clean and sanitary condition.

5. Every supplied facility, piece of equipment, or utility which is required under this Code shall be maintained in satisfactory working condition so that it will function safely and effectively.

6. No owner, operator or occupant shall cause any service facility, equipment, or utility which is required under this Code, to be removed from or shut off from or discontinued from any occupied dwelling or building let or occupied by him, except such temporary interruption as may be necessary while actual repairs or alterations are in process, when discontinuance of service is approved by the Board, and except during temporary emergencies.

7. Where a habitable room or dwelling unit is located above an area used for parking or storage of motor vehicles, a fire stop of one hour fire resistive materials, approved by the Board, shall be provided above such area and below the floor of such room or unit.

8. The owner of a building shall be responsible for the protection of all exterior building surfaces from the elements, whether or not the building is occupied. Painted surfaces shall be kept in good condition and rotted wood must be replaced.

9. Every interior and exterior stairway and porch, and appurtenance thereto shall be maintained and capable of supporting the design load set forth in the Code.

10. Every fence shall be kept in good repair and any rotted or deteriorated material shall be replaced and painted or otherwise coated surfaces shall be reasonably maintained to its intended appearance. Any screen fence required as a condition of approval or a subdivision or side plan shall be maintained in a like manner.

11. Every occupant of a dwelling unit or building, shall keep that part of the dwelling, dwelling unit, building, yards, garages, and accessory buildings which he occupies or over which he has exclusive possession and right of control in a safe and sanitary condition, clear and free from any accumulation of dirt, filth, junk, rubbish, garbage or similar matter, from vermin or rodent infestation, and from materials or conditions of maintenance which tend to encourage or support infestation of such accumulations.

12. Every occupant of a dwelling unit or building shall keep all plumbing; heating and ventilation fixtures therein in a clean and sanitary condition and shall be responsible for the exercise or reasonable care in the proper use and operation of electrical fixtures and convenience outlets in such dwelling unit or building.

13. Except as it may be the responsibility of every occupant under subsection (1) of this Section, every owner shall keep the building, yards, garages, and accessory buildings in a safe and sanitary condition, clean and free from any accumulation of dirt, filth, junk, rubbish, garbage or similar matter, from vermin or rodent infestation, and from materials or conditions of maintenance which tend to encourage or support such infestation or such accumulations, whether or not the property is occupied.

14. Every occupant of any building or dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises, and every occupant of a dwelling unit in a dwelling containing more than one (1) dwelling unit or space in a building containing more than one (1) tenant space shall be responsible for such extermination whenever his dwelling unit or tenant space is the infested. Notwithstanding the foregoing provisions of the subsection, whenever infestation is caused by failure of the owner to maintain a dwelling or building in rodent-proof or reasonable insect-proof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two (2) or more of the dwelling units or spaces, or in the



shared or public parts of any building containing two (2) or more dwelling units or spaces, extermination thereof shall be the responsibility of the owner.

15. Every occupant of a dwelling or dwelling unit or building shall dispose of all his rubbish, garbage and any other waste in a clean and sanitary manner, by placing it in proper garbage disposal facilities or garbage storage containers. It shall be the responsibility of the owner to supply such facilities or containers of all buildings including apartment houses except that in single family and two family dwellings, such facilities or containers shall be provided by the occupant.

16. Every owner shall provide and install screens on every dwelling unit.

## **SECTION V. MINIMUM REQUIREMENTS FOR INGRESS AND EGRESS**

No person shall occupy or let to another for occupancy, and no owner shall suffer or permit any person to occupy any dwelling or dwelling unit for the purpose of living, sleeping, cooking, or eating therein, or any building for any purpose which does not comply with the Building Code and the Fire Code regarding required exits and exit arrangements.

## **SECTION VI. VACANT BUILDINGS**

A. MAINTENANCE OF VACANT BUILDINGS. Every dwelling, house, building or other similar structure (hereinafter referred to as a building) within the City of Log Cabin, Texas, which has been vacant for over ninety days (90) days shall comply with the following requirements:

1. All exterior doors and windows shall be kept in sound working condition and free of broken glass.
2. All exterior doors shall be equipped with a workable lock or locking device and shall be kept securely locked during the period of time said building is vacant;
3. All windows shall be secured by a latch, lock, or other means so as to prevent easy entry into said structure by children, vagrants, or other unauthorized persons;
4. All exterior walls and roof shall be kept in good repair and free of holes, cracks, defective materials and structural deterioration so as to keep such building from becoming a breeding place for rodents, pigeons, cockroaches and disease carrying varmints.
5. Both the interior and exterior premises shall be kept free of any accumulation of trash, garbage, rubbish or any waste material of such quantity as to constitute an unsanitary condition.

6. Both the interior and exterior premises shall be kept free of any accumulation of trash, garbage, rubbish or any waste material of such quantity as to constitute an unsanitary condition.

**B. INSPECTION OF VACANT BUILDING.** An inspection of every building located within the corporate limits of the City which has remained vacant for over ninety (90) days whether the owner is wanting the utilities turned on or if the city feels the home is substandard shall be preformed for the purpose of determining whether the building is substandard, uninhabitable or dangerous. If such determination is made, the proper steps shall be taken for the structure/s to be brought to code in accordance to this ordinance or taken down.

## **SECTION VII. SUBSTANDARD STRUCTURES DECLARED NUISANCE**

The City declares every substandard building or structure as herein defined to be a public nuisance and subject to repair, vacation or abatement (demolish or removal), such nuisance as herein provided in order to protect the health, safety and welfare of the occupants and the public.

## **SECTION VIII. NOTICE OF VIOLATION.**

### **A. Service**

1. The Ordinance Officer and/or Police Chief or his assigned designee shall give notice of a violation of this ordinance. Such notice shall be in writing and shall be served by personal delivery or by certified mail, return receipt requested, to the record owners of the affected property, and each holder of a recorded lien against the affected property as shown by the records of the County Clerk if the address of the lien holder can be ascertained from the deed of trust establishing the lien or other applicable instruments on file in the office of the County Clerk; and to all unknown owners, by posting a copy of the notice on the front door of each affected improvement situated on the property or as close to the front door as practicable, and if the owner's address is different than the address shown for the property involved, to the address of the property, addressed to the occupant of such address. It is not necessary that the notice to the occupant of the property list any occupied by name or that the notice be mailed by certified mail. Service of the notice may be accomplished by first class U.S. mail or by personal delivery to any occupant of the property who is above the age of 18 years or older.

2. The notices required by this section shall constitute and order based upon findings of fact, directing the owner and occupant to repair, vacate, or abate such buildings or otherwise comply with the order.

**B. Contents.** The notice shall contain the following.

1. The names of all persons to whom the notice is being served pursuant to Subsection A. of this section.
2. The street address of legal description of the premises.
3. A general description of the building, structure improvements or condition deemed substandard or otherwise in violation of this ordinance or any applicable Code.
4. An itemized statement of list of defects.
5. Whether or not repairs or correction of the defects shall be made so that the structure(s) will comply with the terms of this ordinance of any applicable Code, and, if so, a list of the required repairs, or whether the structure(s) shall be abated.
6. Whether or not the building shall be vacated by the occupants and, if so, the date by which such vacation shall be effected.
7. Whether or not the building constitutes a health or fire menace, and;
8. A statement of the time considered reasonable for the party receiving notice to commence to vacate and/or make repairs or otherwise comply with the requirements of the notice. A reasonable time shall not exceed 30 days, except in cases of unusual or extenuating circumstances. This time to commence may be extended by the Ordinance Officer and/or Police Chief for an additional period of 60 days, provided, however, an application for an extension is made by the owner, occupant, or some other person interest in the property at least five days before the expiration date of the time to commence vacation, repairs or demolition or otherwise comply with the notice. A reasonable time to complete the vacation, repair, abatement or otherwise comply as provided in the notice and such reasonable time for completion shall not exceed 90 days form the date of notice unless the time is extended by action of the Building and Standards Committee.

#### **SECTION VIII. SERVICE OF NOTICE WHEN OWNER ASBENT FROM CITY.**

When the owner or occupant, or mortgagee, or other interested party, is absent from the City, all notices or orders provided for herein shall be sent, via registered mail or certified mail to the owner or occupant, or mortgagee, or all other persons having an interest in the dwelling or building, to the last known address of each. Such mailing and, in the case of dangerous or uninhabitable buildings, the below described posting, shall be deemed adequate service.

#### **SECTION X. POSTING OF PLACARD ON UNIMHABITABLE, DANGEROUS BUILDINGS.**

A. If the ordinance Officer and/or Police Chief or a designated representative, shall, upon inspection of any building within the city, find the same to be uninhabitable and dangerous; he shall place a placard on the uninhabitable and dangerous building reading as follows:

**WARNING**

**This building has been found to UNINHABITABLE AND DANGEROUS STRUCTURE by the Ordinance Officer and/or Police Chief or a designated representative. This building is to be vacated immediately. This placard is to remain on the structure until it is repaired or abated in accordance with the notice dated \_\_\_\_\_ which has been mailed to all known persons have an interest in this building or property as shown by the County Clerk of Henderson County. It is a violation of this ordinance, punishable by a fine up to \$500.00, for anyone to remove this placard until such notice has been complied with.**

Signed \_\_\_\_\_  
Ordinance Officer and/or Police Chief

B. No person shall occupy any building posted with such placard nor shall any person deface, destroy, or remove any such placard.

C. A copy of such notice shall be posted on the front door or as near to the front door as practicable on the uninhabitable and dangerous dwelling or building to which it relates.

**SECTION XI. PLACARD BUILDING TO BE SECURED**

When the placard authorized by this ordinance has been posted on any building in the city found to be a violation of this ordinance or applicable Code, the owner or occupant thereof shall render it secure from entry by unauthorized persons.

**SECTION XII. VACATION OF UNINHABITABLE, DANGEROUS BUILDINGS.**

Where any building, or portion thereof, fails to comply with the provisions of this ordinance or applicable Code because of the particular use of such building it shall be unlawful for any person to make such use or allow such use to be made of such building or portion thereof. Whenever a building is found to violate this ordinance or applicable Code and to present an immediate danger requiring demolition of the premises because of potential injury to the occupants, the Building Inspector or Ordinance Officer and/or Police Chief shall order the immediate evacuation of the building and it shall remain vacated until danger is eliminated.

**SECTION XIII. EMERGENCY CASES.**

In cases where it reasonably appears that there is immediate danger to the life or safety of any person unless an uninhabitable and dangerous building is immediately repaired,

vacated or abated, the Ordinance Officer and/or Police Chief or a designated representative shall cause the immediate repair, vacation or abatement of such uninhabitable and dangerous building or dwelling. The cost of such emergency repair, vacation, abatement or other compliance shall be collected in the same manner as provided in this ordinance or applicable Code.

#### **SECTION XIV. RIGHT OF INSPECTION**

The Ordinance Officer and/or Police Chief or his designated representative shall cause to be inspected any building or structure for the purpose of determining whether conditions exist which render such place uninhabitable or substandard within the terms of this ordinance or applicable Code.

Cause for inspection may be based on any of the following:

- A. A complaint filed by any person.
- B. A report filed by the Police Department, Fire Department, or any other city department of any building or structure which is or may be uninhabitable or substandard within the terms of ordinance or applicable Code, or;
- C. General information or knowledge about the building or structure.

#### **SECTION XV. ELIMINATION OF UNINHABITABLE AND DANGEROUS STRUCTURES.**

All uninhabitable and dangerous structures, including dwellings are hereby declared to be public nuisances, and shall be repaired, vacated or abated.

#### **SECTION XVI. CONDITIONS CONSTITUTING AN UNINHABITABLE OR DANGEROUS DWELLING.**

A. In addition to the standards adopted in this ordinance or applicable Code, an uninhabitable or substandard building or structure is defined as any building or structure:

1. Whose walls or other vertical structural members list, lean or buckle in excess of one-eighth inch horizontal measurement for each one foot of vertical measurement;
2. Which exclusive of the foundation, shows 33% or more of damage or deterioration of the supporting member or members, or 55% of damage or deterioration of the supporting enclosing or outside walls or covering;
3. Which has been damaged by fire, explosion, wind, vandalism or elements of nature so as to have become dangerous to life, safety or the general health and welfare of the occupants thereof of the people of the city.

4. Which has inadequate facilities for egress in case of fire or panic or which has insufficient stairways, elevators, fire escapes or other means of ingress and egress.
5. Which has parts thereof which are attached that they may fall and injure members of the public or property;
6. Which, because of its condition is unsafe, or unsanitary, or dangerous to the health, morals, safety, or general welfare of the people of this city; or
7. Which exists in violation of any material provisions of this city's ordinances governing the construction of buildings, building code, plumbing code, fire prevention code, electrical code or the statutes of the state as revised, or that fail to comply with any material provisions of this code. For the purposes of this subsection (7), VIOLATION OF ANY MATERIAL PROVISION is a violation of any section that involves significant risk of personal injury, death or property damage.

#### **SECTION XVII. GUIDE FOR REPAIR, VACATION OR ABATEMENT OF UNINHABITABLE BUILDINGS.**

A. The following guide shall be followed by the Ordinance Officer and/or Police Chief in determining whether to order or recommend the repair or vacation or abatement of any uninhabitable and dangerous building or dwelling.

1. Repair. If a building can reasonably be repaired so that it will no longer exist in violation of the terms of this Code, the Ordinance Officer and/or Police Chief or a designated representative shall order it repaired within a reasonable time frame. A reasonable time frame shall be defined in this ordinance or any applicable Code. If the owner or occupant fails to make such repairs within the time frame allowed by ordinance or any applicable Code, the Ordinance Officer and/or Police Chief or a designated representative may recommend that the Building and Standards Commission order repairs, impose fines, order the demolition of a building, or take other appropriate action to implement this subchapter.
2. Vacation. If a building is in such condition as to make it a danger to the health, safety or general welfare of its occupants or the citizens of the city or if deemed necessary for the abatement of the nuisance, the Ordinance Officer and/or Police Chief shall order it vacated. If the owner or occupant fails to vacate a building after proper notice, the Ordinance Officer and/or Police Chief may recommend that the Zoning and Building Standards Commission order the vacation of the structure, impose a fine, or take other appropriate action to implement this chapter.



- A. **Building/Structure.** Any structure designed or intended for the support, enclosure, shelter or protection of persons, animals, chattels or property.
- B. **Commission.** Zoning and Building Standards Commission
- C. **Door.** A movable barrier of wood or other solid material on hinges or sliding back, for closing or opening a passage or opening into a building, room or enclosure.
- D. **Dwelling.** Any building which is wholly or partly used or intended to be used for living or sleeping by human occupants.
- E. **Dwelling Unit.** A room or group of rooms used or intended to be used as a housekeeping unit for living, sleeping, cooking and eating.
- F. **Extermination.** The control and elimination of insects, rodents, or other pests by eliminating their harboring places, by removing or making inaccessible materials that may serve as their food, by poisoning, spraying, fumigation, trapping, or by any other recognized and legal pest elimination approved by the Minimum Standards Board.
- G. **Garbage.** The animal and vegetable waste resulting from the handling, preparation, cooking or consumption of food.
- H. **Habitable Room.** A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closets, laundries, pantries, foyers or communicating corridors, closet storage spaces, stairways and elevator shafts.
- I. **Occupant.** Any person, living, sleeping, cooking, or eating in, or having actual possession of a dwelling unit of the occupancy of any building for any purpose.
- J. **Operator.** Any person who has charge, care or control of a building, or part thereof, intended for human occupancy.
- K. **Owner.** Any person or group of persons who shall have legal or equitable title to a building, the agent of said person, or any person having an agreement of control of any building, provided, however, that no person acting as managing agent or collector of rents of any property involved in an proceeding hereunder shall be liable hereunder if such person within five (5) days after receipt of notice of any alleged violations or of summons shall have notified in writing by registered or certified mail, the owner or owners of the property or the employer of such person of the purported violation or violations of any provision or provisions of this ordinance and shall have delivered to the Zoning and Building Standards Commission a copy of the notice with proof of service hereof on the owner, owners, or employer.
- L. **Person.** Any individual, firm, corporation, association or partnership.



M. Rubbish. Combustible and non-combustible waste materials, except garbage, and the term shall include the residue from the burning of wood, coal, coke and other combustible material; paper, rags, cartons, boxed, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust.

N. Substandard Building/Structure. Any building or premise that fails to meet the minimum standards as set forth in Sections I, II, III, IV and V.

## SECTION XXII. PENALTY


A. Any person who violated any provision of this chapter for which no other penalty is set forth shall be subject to the penalty set forth in this ordinance or any applicable Code.

B. Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance or any applicable Code shall be guilty of a Class C Misdemeanor and upon conviction thereof shall be fined not to exceed \$500.00 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

This Ordinance is duly enacted by the City of Log Cabin, Texas pursuant to the general laws and Constitution of the State of Texas.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF LOG CABIN, TEXAS**

ON THIS THE 20 <sup>September 20<sup>th</sup></sup> DAY OF ~~JANUARY~~, 2007.

  
MAYOR

ATTEST:

  
CITY SECRETARY