

**CITY OF CORINTH, TEXAS
ORDINANCE NO. 22-01-20-01**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AMENDING CHAPTER 150 "BUILDING REGULATIONS" OF TITLE XV "LAND USAGE" OF THE CODE OF ORDINANCES OF THE CITY OF CORINTH BY ADDING A NEW SUBSECTION ENTITLED "SINGLE FAMILY RENTAL UNITS" REGARDING REQUIRED INSPECTIONS OF SINGLE FAMILY RESIDENTIAL UNITS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AN AMENDMENT; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Corinth is a home-rule municipality located in Denton County, Texas created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas and its home rule charter; and

WHEREAS, the City Council finds and determines there is a need to maintain property values, eliminate substandard and deteriorating rental housing, and maintain a living environment that contributes to healthy individual and family living, to benefit tenants, property owners, and the entire community within the City of Corinth; and

WHEREAS, rental housing provides needed, affordable housing for many and is a valuable asset that must be preserved and maintained. The City has a significant interest in ensuring that rental housing remains a safe and desirable housing option for its citizens, and

WHEREAS, the City currently has few regulations in place that require landlords to maintain renter-occupied dwellings in safe and sanitary conditions, and a need exists to protect the health, safety, and welfare of those citizens who occupy rental property; and

WHEREAS, after public hearing, the City by Ordinance NO. 19-05-09-15, Certificate of Occupancy Procedures previously amended "Zoning Procedures" of Section 2 "Zoning Regulations", Section 2.10.07 "Certificate of Occupancy", to include Subsection 2.10.07(A)(5), to require a certificate of occupancy whenever there is a change in occupant or business within a building; and

WHEREAS, the City Council finds and determines the regulations adopted herein are in the best interest of the citizens of the City of Corinth and are necessary to preserve and protect public health, safety and welfare of the general public.

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

SECTION 1
INCORPORATION OF PREMISES

The above and foregoing recitals are found to be true and correct and are incorporated into the body of this Ordinance for all purposes.

SECTION 2
AMENDMENTS

That the Code of Ordinances of the City of Corinth, Texas is hereby amended by amending Chapter 150 "Building Regulations" of Title XV "Land Usage," by adding a new subsection, 150.200 – 150.203, entitled "Single Family Rental" to be and read as follows:

"150 SINGLE FAMILY RENTAL UNITS

150.200 PURPOSE

The purpose of this Subsection is to establish periodic, systematic inspection of rental housing within the City to protect the health and safety of the public, prevent blight, and preserve property values, thereby promote the health, safety, and welfare of the public, assuring preservation of the existing housing supply help eliminate substandard and deteriorating rental housing.

150.201 DEFINITIONS

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

Building official means the building official for the City of Corinth, Texas.

Calendar-year means each successive period of twelve (12) months commencing on January 1 and ending on December 31.

Owner means any person, agent, operator, firm, partnership, or corporation having a legal or equitable interest in the property, including but not limited to: holder of fee-simple title, holder of life-estate, holder of leasehold estate for an interim term of five (5) years or more; a buyer under contract for deed; a mortgagee, receiver, executor or trustee in control of real property; but not including the holder of a leasehold estate or a tenancy for initial term of less than five (5) years.

Person means an individual, corporation, business trust, estate, trust, partnership, or association, two (2) or more persons having a joint interest, or any other legal or community entity.

Property manager means a person, whom for compensation, has managing control of a rental unit.

Rent means the offering, holding out actual leasing of a rental unit to an occupant other than the owner and generally involves the payment of a rental amount although other forms of consideration may be involved or no consideration at all may be involved.

Rental unit means a single-family dwelling unit, duplex dwelling unit, or a townhome dwelling unit, or portion thereof, not occupied by the Owner, which is rented or offered for rent as a residence.

Tenant means any person who rents or leases a rental unit for living or dwelling purposes with the consent of the owner.

Working day(s) means Monday, Tuesday, Wednesday, Thursday, and Friday (excluding City holidays) and begins at 7:30 a.m. on the next business day after an application for a certificate of occupancy or a request for reinspection is made with the City.

150.202 CERTIFICATE OF OCCUPANCY

- (a) When a rental unit is vacated by a tenant, the owner of the unit must apply for and receive a certificate of occupancy from the building official prior to the unit being occupied by a new tenant.
- (b) A new certificate of occupancy shall also be required for a dwelling unit prior to its original occupancy as a rental unit.
- (c) A fee of \$50.00 dollars will be charged at the time an inspection is requested.
- (d) Application for a certificate of occupancy as required by this section shall be made upon a form provided by the City for such purpose and shall include at least the following information: annual registration and update of relevant contact information for the rental unit owner with the City will be required.
- (e) The Owner's name, address, work and home telephone number, driver's license number, or identification card number and state of issuance of the owner shall be indicated on the application.
- (f) The building official must complete the initial inspection of the rental unit, for the purpose of issuing the certificate of occupancy, within three working days after receiving the application for a certificate of occupancy.
- (g) No person shall make connections for water utilities to any rental unit that is required by this section to be inspected prior to occupancy, until the building official has issued a certificate of occupancy.
- (h) While the rental unit is vacant, the owner may connect the water utilities for maintenance purposes only without a certificate of occupancy.

150.203 INSPECTION

- a) Issuance of a certificate of occupancy will require an inspection by the building official to determine compliance with applicable City ordinances.
 - 1) If entry is refused thus prohibiting inspection of the rental unit, the building official shall have recourse to every remedy provided by law to secure entry, including, but not limited, to an inspection warrant.
 - 2) If deficiencies are found, the building official may prohibit occupancy of the rental unit until such time as the owner takes the action needed to bring the rental unit into compliance.

- 3) When the building official determines that a rental unit complies with all applicable City ordinances, the building official shall issue a certificate of occupancy.
- b) Annual registration of the rental unit with the City will be required.
- c) The building official must complete the initial inspection of the rental unit, for the purpose of issuing the certificate of occupancy, within three (3) working days after receiving the application for a certificate of occupancy.
- d) Follow-up inspections (reinspection) by the building official, if required, must be conducted within two (2) working days after a request for reinspection is made with the City by the rental unit owner. Additional time for a reinspection may be granted by the City if the tenant is unavailable, or it is determined by the City that more time is needed.
- e) In the event the building official fails to complete the initial inspection of the rental unit within three (3) working days after receiving the application of a certificate of occupancy or within two (2) working days after receiving a request for reinspection, the rental unit may be occupied by the new tenant.”

SECTION 3
CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances of the City of Corinth 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 or where expressly repealed hereby. 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 4
SEVERABILITY

If any section, subsection, clause, phrase, or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void, or unconstitutional, the remaining sections, subsections, clauses, phrases, and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

SECTION 5
SAVINGS/CONFLICT

In the event of a conflict between the provisions of this Ordinance and any other regulation or rule prescribed by charter, another ordinance, resolution or other authorization of the City, the provisions of this ordinance shall control. Notwithstanding the foregoing, all rights and remedies of the City are expressly saved as to any and all complaints, actions, claims, or lawsuits, which have been initiated or have arisen under or pursuant to such conflicting Ordinance, or portion thereof, on the date of adoption of this Ordinance shall continue to be governed by the provisions

of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect.

SECTION 6
PENALTY

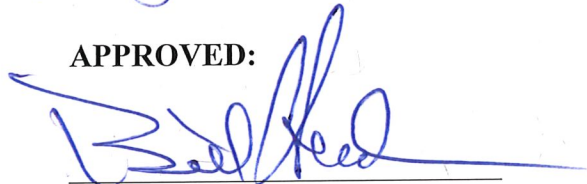
Any person, firm or corporation who violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving an intentional, knowing, reckless or criminally negligent violation of any provision of this ordinance or Code of Ordinances, as amended hereby, governing public health shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

SECTION 7
PUBLICATION/EFFECTIVE DATE

This Ordinance shall take effect upon its publication as required by law. The City Secretary is directed to publish the caption and penalty of this Ordinance as required by the City Charter and state law.

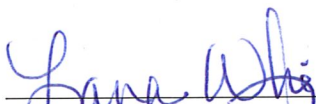
DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS on this the 20th day of January 2022.

APPROVED:



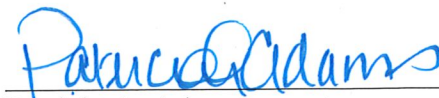
Bill Heidemann, Mayor
City of Corinth, Texas

ATTEST:


Lana Wylie, City Secretary
City of Corinth, Texas



APPROVED AS TO FORM:


Patricia A. Adams
City Attorney