

ORDINANCE NO. 26-0013

AN ORDINANCE ESTABLISHING COMPLIANCE TIMEFRAMES FOR LIFE-SAFETY AND CODE ENFORCEMENT VIOLATIONS; PROVIDING STANDARDS FOR DETERMINING REASONABLE COMPLIANCE PERIODS; AUTHORIZING IMMEDIATE ACTION WHEN CONDITIONS CONSTITUTE AN IMMINENT DANGER TO LIFE, HEALTH, OR SAFETY; PROVIDING FOR EXTENSIONS OF TIME UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR ENFORCEMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS,

The City Council of the City of Trinity finds that protecting the health, safety, and welfare of the public is a fundamental municipal responsibility; and

WHEREAS, the City has adopted building, fire, plumbing, mechanical, electrical, and property maintenance regulations intended to safeguard life and property.

WHEREAS, Texas law generally requires property owners to be afforded a reasonable time to correct violations unless an imminent danger exists requiring immediate action.

WHEREAS, the City Council finds it necessary to establish reasonable compliance guidelines while preserving the authority of the Code Official to address conditions presenting an imminent danger.

SECTION 1. PURPOSE

The purpose of this ordinance is to establish reasonable compliance periods for correcting code violations while allowing the City to require immediate action whenever a condition presents an imminent danger to life, health, or safety.

SECTION 2. DEFINITIONS

Code Official means the City's Building Official, Fire Official, Code Enforcement Officer, or other employee designated by the City Manager to administer and enforce the City's adopted codes.

Imminent Danger means a condition that presents an immediate threat of death, serious bodily injury, or significant property damage if not promptly corrected or mitigated.

Life-Safety Violation means any condition that materially reduces the level of protection intended by the City's adopted building, fire, electrical, plumbing, mechanical, or property maintenance codes, including conditions affecting means of egress, fire protection systems, structural stability, electrical safety, gas systems, hazardous materials, or other conditions that could endanger occupants.

SECTION 3. COMPLIANCE PERIODS

Unless otherwise required by state law, the following compliance periods shall apply:

A. Imminent Danger

When the Code Official determines that an imminent danger exists, the property owner or responsible party shall immediately eliminate or secure the hazard.

The Code Official may order:

- Immediate correction.
- Evacuation of all or part of a structure.
- Temporary closure.
- Restricted occupancy.
- Barricading.
- Utility disconnection when authorized by law.
- Any other reasonable temporary protective measures necessary to protect the public until permanent repairs are completed.

B. Life-Safety Violations

When a violation constitutes a life-safety hazard but does not rise to the level of imminent danger, the Code Official shall establish a reasonable compliance period, which will generally not exceed ten (10) calendar days unless additional time is justified.

C. General Code Violations

Violations not involving life-safety conditions should generally be corrected within thirty (30) calendar days unless another period is established by ordinance or state law.

SECTION 4. EXTENSIONS

The Code Official may grant a written extension when:

1. The violation does not constitute an imminent danger.
2. The owner is acting in good faith.
3. Permits, contractors, engineering, or specialized materials are required.
4. Measurable progress toward compliance is being made.
5. Granting the extension does not create an unreasonable risk to the public.

SECTION 5. FACTORS TO BE CONSIDERED

When establishing a compliance period, the Code Official shall.

- The likelihood of injury or property damage.
- Whether the structure is occupied.
- The vulnerability of the occupants.
- The complexity of the repair.

- Material and contractor availability.
- Weather conditions.
- The owner's good-faith efforts toward compliance.
- Any other factor reasonably affecting public safety.

SECTION 6. ENFORCEMENT

Failure to comply within the established compliance period may result in any enforcement action authorized by City ordinance or Texas law, including issuance of citations, civil remedies, nuisance abatement, emergency protective measures, or any other lawful enforcement action.

SECTION 7. APPEALS

Any person aggrieved by an order issued under this ordinance may appeal in accordance with the City's adopted appeal procedures, unless the order involves an imminent danger requiring immediate action to protect life or safety.

SECTION 8. CUMULATIVE REMEDIES

The remedies provided herein are cumulative and do not limit any authority granted to the City under the Texas Local Government Code or any other applicable law.

SECTION 9. REPEALER

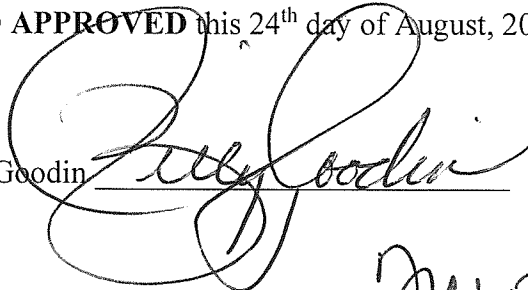
All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 10. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council declares that it would have adopted this ordinance regardless of the invalidity of any one or more provisions.

PASSED AND APPROVED this 24th day of August, 2026.

Mayor – Billy Goodin



ATTEST: City Manager – Tracy Hutto

