

**CITY OF LAVON, COLLIN COUNTY TEXAS**

**ORDINANCE NO: 2005-04-01**

**Building Codes Enforcement**

**AN ORDINANCE OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS PROVIDING FOR THE ENFORCEMENT OF REGULATIONS RELATING TO BUILDING CODES, CONSTRUCTION STANDARDS, DEVELOPMENT OR ORDERS OR DIRECTIVES OF CITY STAFF RELATING TO BUILDING CODES CONSTRUCTION STANDARDS OR DEVELOPMENT; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2000.00) FOR EACH OFFENSE, AND PROVIDING SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Lavon has been presented with concerns by citizens regarding enforcement of rules, regulations and directives relating to building codes, construction standards and development standards in the City of Lavon;

**WHEREAS**, the City Council has given due and diligent thought to this concern; and

**WHEREAS**, the City Council believes it is in the best interest for the City of Lavon, its citizens and visitors to establish enforcement authority over these issues within the City of Lavon.

**NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS:**

**SECTION 1. DEFINITIONS**

- A) All definitions contained within this ordinance are for the purpose of this ordinance only and shall have no impact on any other rule, law or ordinance unless referenced directly within said rule, law or ordinance.
- B) AUTHORIZED AGENT OF THE CITY OF LAVON – shall mean the City Building Inspector, City Engineer, City Public Infrastructure Inspector, City Fire Marshal, City Administrator or their designee.
- C) BUILDING CODES - shall mean any and all regulations, ordinances, Texas State laws, Directives or Orders recognized by the City of Lavon or given by an authorized agent of the City of Lavon.
- D) BUILDER – shall include but not be limited to: Property owner of record, resident, developer, builder, construction company, employee of any of the above, or any responsible party as determined by the City of Lavon.
- E) DIRECTIVES OR ORDERS – shall mean any written communication given by an authorized agent of the City of Lavon and shall include but not be limited to: red tags, memos, redlined drawings, notations on plans, memos, signs, or letters posted at a work site.

## **SECTION 2. REGULATIONS**

- A) It shall be unlawful for any builder, person or company to perform any work in violation of any Building Code within the City of Lavon.
- B) It shall be unlawful for any builder, person or company to alter a lot, begin construction or perform any work not in accordance with a set of plans approved by the City of Lavon.
- C) It shall be unlawful for any builder, person or company to fail to follow any directive or order issued by an authorized agent of the City of Lavon.
- D) It shall be unlawful for any builder, person or company to perform any work or allow any work to be performed or allow any activities on any lot where a stop work order has been issued by an authorized agent of the City of Lavon, until such time as the same Authorized agent or his supervisor has rescinded the stop work order.
  1. An authorized agent of the City of Lavon may, by written order, approve limited work be performed for safety purposes or in the furtherance of rescinding the stop work order, without first rescinding said order.

- E) It shall be unlawful for any builder, person or company to remove, move, alter, deface or obstruct any sign, letter, memo or other notice posted by an authorized agent of the City of Lavon.

### **SECTION 3. AUTHORITY TO POST SIGNS**

- A) An authorized agent of the City of Lavon may post a sign, letter, memo or other notice on any property for the purpose of notifying the builder and other citizens and visitors of any stop work order, order, directive or other requirement they deem necessary.

### **SECTION 4. PRIMA FASCIA VIOLATIONS**

- A) If any work is performed on a lot, development, work site or any other location that is in violation of this ordinance it shall be prima fascia evidence that each builder or employee violate this ordinance.

### **SECTION 5. FINES AND FEES**

- A) Any person violating any portion of this Ordinance shall be deemed guilty of a Class "C" misdemeanor and upon conviction be punishable by a fine of not more than two thousand dollars (\$2000.00).
- B) Each act shall constitute a separate violation under this Ordinance and shall result in a separate fine.
- C) Each day any worksite remains in violation of any building code shall be a separate violation of this Ordinance and shall result in a separate fine

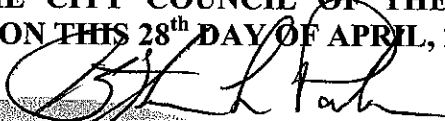
### **SECTION 6. SEVERABILITY**

It is hereby declared by the City Council of the City of Lavon that if any of the sections, paragraphs, sentences, clauses or phrases of this ordinance shall be declared unconstitutional or otherwise illegal by the valid judgement or decree of any court of competent jurisdiction, such event shall not effect any remaining the sections, paragraphs, sentences, clauses or phrases of this ordinance.

**SECTION 7. EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication and it is so ordained.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAVON, COLLIN COUNTY, TEXAS ON THIS 28<sup>th</sup> DAY OF APRIL, 2005.**

  
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The Honorable Steve Parker, Mayor

Attest:

  
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Rosa Stovall, City Secretary

