

ORDINANCE NUMBER 363

AN ORDINANCE OF THE CITY OF TIOGA, GRAYSON COUNTY, TEXAS PROVIDING FOR THE REPEAL OF ORDINANCE NUMBER 199 AND ORDINANCE NUMBER 229; PROVIDING CERTIFICATES OF OCCUPANCY MUST BE ISSUED ON ALL STRUCTURES WHEN OCCUPANCY CHANGES; PROVIDING A SAFETY CHECKLIST TO RECEIVE A CERTIFICATE OF OCCUPANCY; PROVIDING UTILITIES WITHHELD UNTIL CERTIFICATE OF OCCUPANCY IS ISSUED; ESTABLISHING PLUMBING REQUIREMENTS AS SPECIFIED BY THE TCEQ; PROVIDING FOR AN EXCEPTION; PROVIDING A FEE; PROVIDING AN EFFECTIVE DATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING A REPEALING CLAUSE.

WHEREAS, the City of Tioga City Council has investigated and determined that it would be advantageous and beneficial to the citizens of the City of Tioga, Texas ("Tioga") to require certificates of occupancy on all buildings when the occupancy changes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TIOGA, TEXAS;

SECTION 1. Certificates of Occupancy

- a. A Certificate of Occupancy must be issued on all buildings/structures in all zoning districts when a new occupancy occurs, or occupancy changes. This requirement also applies to new construction and/or remodeled building/structures. The Certificate of Occupancy must be accompanied by a safety checklist of inspection, covering all items that will be inspected (see Attachment A), prior to issuance of the Certificate of Occupancy. Said certificate of occupancy must be obtained before the utilities are turned on and the building/structure is occupied. This ordinance does not waive any other Certificate of Occupancy, which may be required by another City Ordinance.
- b. The fee for the Certificate of Occupancy inspection may be paid by the owner, landlord or the tenant.
- c. The fee for the Certificate of Occupancy inspection is Fifty Dollars (\$50.00).
- d. The provisions of this section of this ordinance are designed specifically to provide for the safety and well-being of the occupants of the buildings.
- e. The City Council will appoint a designee to issue a written list of violations that must be corrected before the property may be occupied; or will instruct in writing the City Secretary to issue the Certificate of Occupancy as soon as the property has been inspected and found to be suitable for occupancy.
- f. If the initial inspection finds the property does not pass the safety inspection, the designee appointed to inspect the property will issue a list of repairs that must be completed before the Certificate of Occupancy is issued; when the repairs are completed the designee will re-inspect the property and if the repairs are in order, will issue the Certificate of Occupancy.

- g. The fee for this additional inspection and/or any other additional inspections made until the building passes the inspection is Fifty Dollars (\$50.00).

SECTION 2 Exceptions

A landlord or property owner may request temporary service, for a period not to exceed thirty (30) days, in order to complete any minor repairs and cleaning the property may require. No one may occupy the property until a Certificate of Occupancy is issued.

SECTION 3 Effective Date.

This Ordinance shall be effective upon its passage and publication of caption in the official newspaper of the City of Tioga as provided by State Law. The fact that the City of Tioga is in need of the relief afforded by this Ordinance creates an emergency and any and all rules requiring ordinances to be read at more than one reading is suspended.

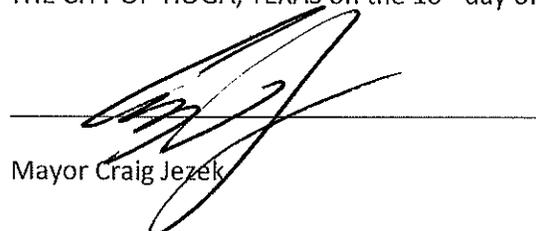
SECTION 4 Severability Provision

Should any section, subsection, clause or phrase of the Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided for that any and all remaining portions of this ordinance shall remain in full force and effect. The City Council for the City of Tioga hereby declares that it would have passed this Ordinance and each section, subsection clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 5 Repeal Provision

All provisions of any ordinances in conflict with this Ordinance are hereby repealed, but shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF TIOGA, TEXAS on the 10<sup>th</sup> day of September, 2018.

  
\_\_\_\_\_  
Mayor Craig Jezek

Attest:

  
\_\_\_\_\_  
City Secretary Donna Carney

**CITY OF TIOGA CERTIFICATE OF OCCUPANCY INSPECTION CHECKLIST**

**ELECTRICAL**

1. Plug and Switch Covers \_\_\_\_\_
2. Plug/Switches \_\_\_\_\_
3. Light Fixtures \_\_\_\_\_
4. Fuse Panel and Breaker Box Covers \_\_\_\_\_
5. Breakers or Fuses \_\_\_\_\_
6. Exposed and/or naked wiring \_\_\_\_\_
7. Smoke Detectors \_\_\_\_\_
8. Other \_\_\_\_\_

**STRUCTURAL**

1. Exterior doors \_\_\_\_\_
2. Windows (replace broken glass) \_\_\_\_\_
3. Porches (ck for dangerously unstable) \_\_\_\_\_
4. Floors (ck for dangerously unstable) \_\_\_\_\_
5. Walls (ck for holes to outside) \_\_\_\_\_
6. Ceiling (ck for damage that makes it unsafe) \_\_\_\_\_
7. Address posted that can be seen from street \_\_\_\_\_
8. Other \_\_\_\_\_

**PLUMBING**

1. Drains-lavatory, sink, tub, shower, washer \_\_\_\_\_
2. Faucets-lavatory, sink, tub, shower, washer \_\_\_\_\_
3. Toilets \_\_\_\_\_
4. Exposed vent stacks for drains \_\_\_\_\_
5. Water heater vents through roof \_\_\_\_\_
6. Exposed water pipes or drain pipes \_\_\_\_\_
7. Other \_\_\_\_\_

**ADDITIONAL PLUMBING REGULATIONS PER TCEQ**

***Residential***

1. Check for private water well hooked into public system \_\_\_\_\_
2. Check for lawn sprinkler or watering devices for livestock hooked into public water system \_\_\_\_\_
3. Check for ball-cock in commode tank. Must be anti-siphon type with valve above water line \_\_\_\_\_
4. Check for pressure temperature valve on water heater \_\_\_\_\_
5. Check for vacuum breakers on all outside hose bibs \_\_\_\_\_

***Commercial***

1. Check for grease trap at cafes and restaurants \_\_\_\_\_
2. Check for back-flow devices on car washes and laundries \_\_\_\_\_

Occupant Name \_\_\_\_\_

Address \_\_\_\_\_

I conducted an inspection at the above referenced address.

\_\_\_ The property passed inspection. Please issue the certificate of occupancy.

\_\_\_ The property failed to pass inspection. A list of necessary repairs has been given to the applicant. Do not issue a certificate of occupancy until the repairs are completed and a new inspection is conducted.

\_\_\_\_\_  
Signature of Inspector

\_\_\_\_\_  
Date of Inspection