

ORDINANCE NO. 80-01

ORDINANCE CONCERNING UNSAFE BUILDINGS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF TURKEY, TEXAS

SECTION 1.

1. All buildings or structures which are unsafe, unsanitary, or not provided with adequate agress, or which constitute a fire or windstorm hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, are severally in contemplation of this section, unsafe buildings. All such unsafe buildings are hereby declared illegal and shall be abated by repair and rehabilitation or by demolition in accordance with the following procedure:
 - a. Whenever the City Council shall find any building or structure or portion thereof to be unsafe, as defined in this section, it shall, in accordance with established procedure for legal notices, give the owner, agent, or person in control of such building or structure written notice stating the defects thereof. This notice shall require the owner with a stated time either to complete specified repairs or improvements, or to demolish and remove the building or structure or portion thereof.

b. If necessary, such notice shall also require the building, structure or portion thereof to be vacated forthwith and not reoccupied until specified repairs and improvements are completed, inspected and approved by the City Council. The City Council shall cause to be posted at each entrance to such building a notice: "THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE CITY COUNCIL." Such notice shall remain posted until the required repairs are made or demolition is completed. It shall be unlawful for any person, firm or corporation or their agents, or other servants, to remove such notice without written permission of the City Council, or for any person to enter the building except for the purpose of making the required repairs or of demolishing same.

c. The owner, agent or person in control shall have the rights, except in cases of emergency, to appeal from the decision of the City Council, and to appear before the City Council at a specified time and place to show cause why he should not comply with said notice. The decision of the City Council on appeal from its prior ruling shall be final.

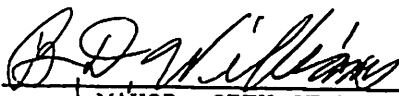
d. In case the owner, agent, or person in control cannot be found within the stated time limit, or, if such owner, agent, or person in control shall fail, neglect, or refuse to comply with notice to repair, rehabilitate, or to demolish and remove said building or structure or portion thereof, the City Council, after having ascertained the cost, shall cause such building or structure or portion thereof, to be demolished, secured, or required to remain vacant.

e. The decision of the City Council shall be final in cases of emergency which, in their opinion, involve imminent danger to human life or health. They shall promptly cause such building, structure, or portion thereof to be made safe or removed. For this purpose they may at once enter such structure or land on which it stands, or abutting land or structures, with such assistance and at such cost as they may deem necessary. They may vacate adjacent structure and protect the public by appropriate fence or such other means as may be necessary, and for this purpose may close a public or private way.

f. Costs incurred under paragraphs d and e shall be collected in the manner by law.

The fact that there does not exist a suitable means in the City of Turkey for preventing and remedying the before mentioned unsafe buildings hazards creates an emergency. For the reasons set forth in the emergency clause of the foregoing ordinance, a public emergency and imperative necessity exists for the suspension of the Charter Rule or requirement that no ordinance or resolution shall be passed finally on the date it is introduced, and that such ordinance or resolution shall be read at three meetings of the City Council; I, therefore, request that you suspend said Charter Rule or requirement and pass this ordinance finally on the date it is introduced, or at the present meeting of the City Council.

APPROVED: 5th day of June, 1980.



 MAYOR, CITY OF TURKEY