

**ORDINANCE NO. O-06-05**

**STAGNANT WATER, OVERGROWN WEEDS AND/OR GRASS  
AND OTHER UNSANITARY MATTER ON PROPERTY ORDINANCE  
OF THE CITY OF NIXON, TEXAS  
(ADDENDUM)**

**AN ADDENDUM TO AN EXISTING ORDINANCE OF THE CITY OF NIXON,  
TEXAS ESTABLISHING RULES AND REGULATIONS REGARDING STAGNANT  
WATER, OVERGROWN WEEDS AND/OR GRASS AND OTHER UNSANITARY  
MATTER ON PROPERTY.**

**WHEREAS**, it has come to the attention of the City Council of the City of Nixon, Texas that it is necessary and reasonable for the City to include an addendum to previously ordained regulations pursuant to ordinance number O-06-05 concerning regulations within the City and that the present and future uses of property are such that it is reasonably necessary for the existing regulations be amended by including an addendum to said regulations in order to promote and preserve the health, safety, morals, and general welfare of the community;

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

**THAT** the attached addendum to Ordinance No. O-06-05 shall constitute as an amendment to current City of Nixon regulations, subject to future amendment, and said addendum and the original Ordinance No. O-06-05 shall govern the uses of property within the City:

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OF THE CITY OF NIXON, TEXAS  
(ADDENDUM)

The City Code Enforcement Official will have a maximum of 72 Hours once notified of any infraction, to issue a notice of violation to any property owner violating these ordinances once notified by any citizen of the city if said violation has merit and is a violation of any state law, International Code or local ordinance. A formal complaint form will be kept on file at City Hall.

The City Code Enforcement Official will follow these steps once a formal violation is made aware/filed and classified as a violation:

1. Notify the property owner in person with a copy of these violations
2. If the property owner was not able to be contacted in person and in writing, the City Code Enforcement Official will send a Certified Letter to a mailing address associated with the property owner
3. On the same day the Code Violation is mailed, the City Code Enforcement Official will post nearest to or on the front door of the property in violation, a notice of violation of all ordinances. If there is not a structure on the property, the violation will be posted on the property so that it is visible, stationary and not susceptible to weather conditions
4. On the 11th day after the notice of violation and the violation/violations have not been remedied, the property owner in violation will be issued a citation punishable with a fine to be no less than \$250.00 or more than \$1,000. The minimum fine will be issued daily until the violation is remedied or the City of Nixon performs an abatement of the violations.
5. If the violation is not remedied within 10 days of issuance of the notice of violation, the City of Nixon will perform any and all abatements granted to them by law if the city deems it necessary (weeds/grass that have grown higher than 48

inches, any unsightly junk or garbage, removal of junk cars, or any other violation that poses an immediate danger to the health, life or safety of any person) no later than the 14<sup>th</sup> day after the notice of the initial violation.

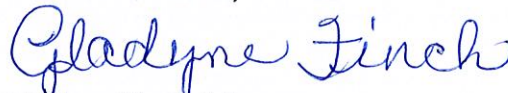
- 6. All fees incurred by the City of Nixon for these abatement processes will be billed according to Ordinance# 0-06-05. If an abatement is to be performed, City Employees must be accompanied by a Certified Peace Officer .
- 7. If the person in violation is not present at the time of the issuance of the citation, the citation can be mailed to the violator no later than the 2<sup>nd</sup> calendar day after the issuance of the citation
- 8. All other policies not stated herein are to be followed and enforced by ordinance# 0-06-05.

**Effective Date.** This ordinance shall take effect immediately upon its approval and passage and publication as required by law.

**Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chapt. 551, Tex. Gov't. Code.*

**PASSED AND APPROVED** on this 14<sup>th</sup> day of August 2017.

CITY OF NIXON, TEXAS



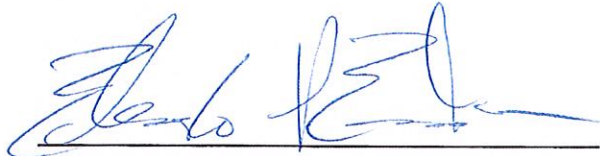
Gladyne Finch, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**



Gina Trotter, City Secretary



Eduardo "Eddie" X. Escobar, City Attorney