



## ORDINANCE NO. 3851

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FARMERS BRANCH, BY AMENDING CHAPTER 26 “BUSINESSES,” ARTICLE VII “MANDATORY CRIME REDUCTION PROGRAM FOR DESIGNATED APARTMENT COMPLEXES,” BY AMENDING SECTION 26-451 BY ADDING A DEFINITION OF “HOUSING UNIT”; BY AMENDING SECTION 26-453 “APARTMENT COMPLEX CRIME INDEX AND CRIME/RISK SAFETY THRESHOLD”; BY AMENDING SUBSECTION (c) OF SECTION 26-455 “MANDATORY CRIME REDUCTION PROGRAM; WHEN REQUIRED”; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) PER VIOLATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Farmers Branch finds it to be in the public interest and necessary for the preservation of public health and safety within the City of Farmers Branch to amend the Code of Ordinances as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:**

**SECTION 1.** The Code of Ordinances of the City of Farmers Branch, Texas, be and the same is hereby amended by amending Chapter 26 “Businesses,” Article VII “Mandatory Crime Reduction Program for Designated Apartment Complexes,” Section 26-451. “Definitions,” to add a definition of “Housing unit” to read as follows:

**Sec. 26-451. – Definitions.**

*“Housing unit means any residence such as a single-family dwelling, apartment, mobile home, or room(s) within a structure providing a space for occupants making up a single household to live and eat.”*

**SECTION 2.** The Code of Ordinances of the City of Farmers Branch, Texas, be and the same is hereby amended by amending Chapter 26 “Businesses,” Article VII “Mandatory Crime Reduction Program for Designated Apartment Complexes,” Section 26-453. “Apartment complex crime index and crime risk/safety threshold,” by amending the calculation of the crime risk/safety threshold to read as follows:

**Sec. 26-453. - Apartment complex crime index and crime risk/safety threshold.**

- “(a) The chief of police will calculate the apartment complex crime index on an annual basis. Apartment complex crime index will be calculated by dividing the total

number of applicable Part I crimes and Part II crimes in a specific apartment complex by the total number of units in the apartment complex and multiplying that number by 100, giving a ratio of crime per 100 units.

- (b) The chief of police will calculate a City crime index on an annual basis by dividing the total of all applicable Part I and Part II crimes in the city by the total number of housing units in the city and multiplying that number by 100, giving a ratio of crime per 100 housing units.
- (c) The chief of police will calculate the crime risk/safety threshold on an annual basis. The crime risk/safety threshold is the City crime index.
- (d) All crime index and crime risk/safety threshold numbers calculated in this article will be rounded to the nearest tenth (e.g., an index number of 10.25 would be rounded up to 10.3 and an index number of 10.24 would be rounded down to 10.2)."

**SECTION 3.** The Code of Ordinances of the City of Farmers Branch, Texas, be and the same is hereby amended by amending Chapter 26 "Businesses," Article VII "Mandatory Crime Reduction Program for Designated Apartment Complexes," Section 26-455. "Mandatory crime reduction program; when required," by amending subsection (c) to read as follows:

- "(c) An apartment complex must remain in the mandatory crime reduction program for one calendar year. At the beginning of the next calendar year, the apartment complex's crime index, and the crime risk/safety threshold are calculated using the outgoing year's crime statistics. If at such time, the apartment complex's crime index is below the crime risk/safety threshold, the apartment complex is no longer required to be in the program. If the apartment complex's crime index exceeds the crime risk/safety threshold, the apartment complex is required to remain in the program."

**SECTION 4.** All provisions of the ordinances of the City of Farmers Branch in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Farmers Branch not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 5.** Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 6.** Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 7.** This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THE 2<sup>nd</sup> OF APRIL, 2024.**

**APPROVED:**

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Terry Lynne, Mayor

**ATTEST:**

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Stacy Henderson, City Secretary

**APPROVED AS TO FORM:**

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Peter G. Smith, City Attorney  
(pgs:2-21-24)