



## ORDINANCE NO. 3550

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF FARMERS BRANCH, TEXAS, BY AMENDING CHAPTER 22, “BUILDINGS AND BUILDING REGULATIONS”, ARTICLE IX, “MINIMUM HOUSING STANDARDS”, BY AMENDING SECTION 22-367 REGARDING THE REQUIREMENTS FOR HEATING, VENTILATION AND AIR CONDITIONING; AND BY AMENDING SECTION 22-392, REGARDING INADEQUATE SANITATION; PROVIDING FOR A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1.** Chapter 22, “Buildings and Building Regulations”, Article IX, “Minimum Housing Standards”, of the Code of Ordinance of the City of Farmers Branch, Texas, is amended by amending Section 22-367, regarding the requirements for heating, ventilation and air conditioning, in part, to read as follows:

**“Sec. 22-367. - Mechanical requirements; heating , ~~and~~ ventilation and air conditioning.**

- (a) *Heating.* Every dwelling unit and guestroom shall be provided with heating facilities capable of maintaining a room temperature of at least 15 degrees warmer than the outside temperature, but not less than 68 degrees Fahrenheit at a point three feet above the floor in all habitable rooms. Such facilities shall be installed and maintained in a safe condition and in accordance with the requirements of the building code, mechanical code and all other applicable laws and ordinances. No unvented fuel-burning heater shall be permitted. All heating devices or appliances shall be of an approved type.
- (b) *Air Conditioning.* Every dwelling unit and guestroom shall be provided with air conditioning facilities capable of maintaining a room temperature of at least 15 degrees cooler than the outside temperature, but not more than 85 degrees Fahrenheit at a point three feet above the floor in all habitable rooms. Such facilities shall be installed and maintained in a safe condition and in accordance with the requirements of the building code, mechanical code and all other applicable laws and ordinances. All air conditioning devices or appliances shall be of an approved type.

- (c) *Electrical equipment.* All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with all applicable laws. All electrical equipment shall be of an approved type. Where there is electrical power available within 300 feet of the premises of any building, such building shall be connected to such electrical power. Every habitable room shall contain at least two supplied electric light fixtures. Every water closet compartment, bathroom, laundry room, furnace room and public hallway shall contain at least one supplied electric light fixture.
- (d) *Ventilation.* Ventilation for rooms and areas and for fuel-burning appliances shall be provided as required in the mechanical code and in this article and other codes and ordinances of the city. Where mechanical ventilation is provided in lieu of the natural ventilation required by this article, such mechanical ventilating system shall be maintained in operation during the occupancy of any building or portion thereof.”

**SECTION 2.** Chapter 22, “Buildings and Building Regulations”, Article IX, “Minimum Housing Standards”, of the Code of Ordinance of the City of Farmers Branch, Texas, is amended by amending Section 22-392, in part, to read as follows:

**“Sec. 22-392. - Inadequate sanitation.**

Inadequate sanitation shall include, but not be limited to, the following:

- (1) Lack of or improper water closet, lavatory, bathtub or shower in a dwelling unit.
- (2) Lack of or improper water closets, lavatories and bathtubs or showers per number of guests in a hotel.
- (3) Lack of or improper kitchen sink.
- (4) Lack of hot and cold running water to plumbing fixtures in a hotel.
- (5) Lack of hot and cold running water to plumbing fixtures in a dwelling unit.
- (6) Lack of adequate heating and/or air conditioning facilities.
- (7) Lack of or improper operation of required ventilating equipment.
- (8) Lack of minimum amounts of natural light and ventilation required by this article.
- (9) Room and space dimensions less than required by this article.

- (10) Lack of required electrical lighting.
- (11) Dampness of habitable rooms.
- (12) Infestation of insects, vermin or rodents, as determined by the health officer or building official.
- (13) General dilapidation or improper maintenance.
- (14) Lack of connection to required sewage disposal system.
- (15) Lack of adequate garbage and rubbish storage and removal facilities as determined by the health officer or building official.”

**SECTION 3.** 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 4.** 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 5.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

**SECTION 6.** Any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances as amended hereby, shall upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense unless a lesser maximum fine is provided in the Code of Ordinances as amended by this Ordinance.

**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 8TH DAY OF JANUARY, 2019.**

**APPROVED:**

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Robert C. Dye, Mayor

**ATTEST:**

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Amy Piukana, City Secretary

**APPROVED AS TO FORM:**

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Peter G. Smith, City Attorney  
(PGS:12-27-18:TM 105102)