

**ORDINANCE NO. 20-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 34 “ENVIRONMENT” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE VII “PROPERTY MAINTENANCE CODE,” ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, WITH AMENDMENTS; PROVIDING A PENALTY OF NOT LESS THAN TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$250.00) OR MORE THAN TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the International Property Maintenance Code, save and except the deletions and amendments set forth below.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

**SECTION 1.** The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

**SECTION 2.** Addison Code of Ordinances, Chapter 34 “Environment,” is hereby amended to add a new Article VII “Property Maintenance Code” which shall read in its entirety as follows:

**ARTICLE VII. – PROPERTY MAINTENANCE CODE**

**Division I - Adopted.**

**Sec. 34-220. - Adopted.**

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, maintenance and quality of all buildings, structures and properties within the city and certain equipment specifically regulated herein, the 2018 edition of the International Property Maintenance Code, as published by the International Code Council, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Property Maintenance Code of the Town to the same extent as if such code were copied verbatim in this Article. The title of this Article shall be the “Property Maintenance Code of the Town of Addison,” and it may be cited as such.

## **Division II - Deletions, Amendments and Additions.**

### **Sec. 34-221. – Deletions, amendments and additions.**

The 2018 International Property Maintenance Code, as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

*Section [A] 101.1 Title; the International Property Maintenance Code has been amended adding the Town's name to read as follows:*

**[A] 101.1 Title.** These regulations shall be known as the *Property Maintenance Code* of the Town of Addison hereinafter referred to as “this code.”

*Section [A]103.5 Fee; the International Property Maintenance Code has been amended by changing it to read as follows:*

**[A] 103.5 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code will be established in Article I “General Provisions” of the Code of Ordinances.

*Section [A] 106.4 Unlawful acts; the International Property Maintenance Code has been amended by adding a nuisance as unlawful act and changing it to read as follows:*

**[A] 106.1 Unlawful acts.** It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code. A nuisance as defined in this code shall be considered a violation of the provision of this code. No person who is the owner of or in control of any occupied or unoccupied premises shall permit or allow the existence of any nuisance thereon. No person shall commit or perform any act which constitutes or creates a nuisance.

*Section [A] 106.3 Prosecution of violation; the International Property Maintenance Code has been amended by adding subsection 106.3.1, 106.3.2 and 106.3.3 it to read as follows:*

**[A] 106.3 Prosecution of violation.** Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

**106.3.1 Abatement.** If the owner of the property does not comply with the city Code and the order issued under this section within ten days of the notice of violation, the city may do the work or make the improvements required and pay for the work done or improvements made and charge the expenses thereof to the owner of the property.

**106.3.2 Lien for costs.** Where the nuisance abated:

- (1) Concerns the filling, draining, and regulating of any place in the city that is unwholesome, contains stagnant water, or is in any other condition that may produce disease;
- (2) Concerns the making, filling, altering or repairing of sewers and privies;
- (3) Concerns the mode and material for constructing sewers and privies;
- (4) Concerns the cleaning and disinfecting of sewers and privies;
- (5) Concerns the cleaning of a building, establishment, or ground of filth, carrion, or other impure or unwholesome matter; or
- (6) Concerns requiring the owner of a lot in the city to keep the lot free from junk, rubbish and other objectionable, unsightly or unsanitary matter.

The city may assess the expenses incurred against the real estate on which the work is done, or improvements made to alleviate or abate the nuisance. To obtain a lien, code official shall file a statement of expenses with the county clerk. Such lien shall be security for the expenditures made and interest shall accrue on such expenditures at the rate of ten percent per annum on the amount due from the date of payment by the city.

**106.3.3 Foreclosure.** The city may bring a suit for foreclosure of the lien in the name of the city to recover the expenditures and interest due and in such suit the statement of expenses or a certified copy of the statement shall be prima facie proof of the expenses incurred by the city in doing the work or making the improvements.

*Section [A] 106.4 Violation penalties; the International Property Maintenance Code has been amended by adding a second paragraph and changing it to read as follows:*

**[A] 106.4 Violation penalties.** Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of two hundred and fifty dollars (\$250.00) per day and not to exceed two thousand dollars (\$2000.00) per day and each and

every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

***Section 106.6 Abatement of nuisance;** the International Property Maintenance Code has been amended by adding a new subsection 106.6 “Abatement of nuisances” to read as follows:*

**Section 106.6 Abatement of a nuisance.** The code official shall be authorized to take the necessary steps to abate a nuisance as defined in this code, following the procedures as prescribed in Section 107 of this code.

***Section 107.2 Form;** the International Property Maintenance Code has been amended by amending 107.2 Form, notice requirement number 3, to read as follows:*

**107.2 Form.** Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order to abate the violation. If the owner of the property does not comply with this Code and the order issued under this section within ten days of the notice of violation, the city may do the work or make the improvements required and pay for the work done or improvements made and charge the expenses thereof to the owner of the property.
5. Inform the property *owner* or owner’s authorized agent of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

***Section 107.3 Method of service;** the International Property Maintenance Code has been amended by adding a final sentence to 107.3 Method of service, to read as follows:*

**107.3 Method of service.** Such notice shall be deemed to be properly served if a copy thereof is: delivered personally or sent by certified or first-class mail addressed to the last known address. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Notice shall also be considered served by local publication at least twice within ten consecutive days if personal service cannot be obtained and the owner's post office address is unknown.

*Section [A] 108.1.5 Dangerous structure or premises; the International Property Maintenance Code has been amended by adding condition number 12 “Any act declared a nuisance” to read as follows:*

**[A] 108.1.5 Dangerous structure or premises.** For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.
12. Any act declared a nuisance, the following declarations are not exclusive and any act or condition which is dangerous to human life or health, such as an unsafe structure, unsafe equipment or which renders the ground, water, air, or food a hazard or injury to human life or health, or that is offensive to the senses, or that threatens to become detrimental to the public health shall be a nuisance even though not specifically declared a nuisance in this section:
  - A. *Discharge of liquid waste on streets.* The accumulation or discharge onto any public street or private property of urine, liquid waste, swill, water from foul swimming pools and spas, water from sinks, wastewater, or any foul or nauseous waste of any kind whatsoever is hereby declared to be a nuisance.
  - B. *Accumulations of garbage and filth.* The deposit or existence on or in any public or private building or property, of any putrid or unsound meat, pork, fish, hides, decayed vegetables or food, manure, ash heaps, garbage, offal, rubbish, dirt, or filth of any kind is hereby declared to be a nuisance.
  - C. *Common use of halls, water closets, etc., in residences.* The renting, leasing, hiring out to be occupied or the occupancy of any building or part thereof as a home or residence of more than two families, living independent of one another, giving to each family or person therein the common right to halls, yards, water closets or privies or some of them, is hereby declared to be a nuisance.
  - D. *Burning.* The burning of any garbage or any refuse of any kind or description is hereby declared to be a nuisance.
  - E. *Filthy drains, leaking garbage receptacles, etc.* Allowing any unclean, stinking, foul, defective, or filthy drain, ditch, tank or gutter, or any leaking or broken slop, garbage or receptacles of like character on any property is hereby declared to be a nuisance.

- F. *Accumulation of offensive materials.* The deposit or existence of any dirt gathered in cleaning yards, waste of mills or factories, damaged merchandise, wet, broken, or leaking barrels, casks or boxes, or used building materials is hereby declared to be a nuisance.
- G. *Depositing or throwing articles into sewer inlets and storm sewer inlets.* The depositing, throwing, or insertion into any sewer or storm inlet, which has a sewer or storm sewer connection, of any article whatsoever, such as grass clipping, oil, gasoline, undiluted chemicals, grease, and trash of any kind, etc., that may cause the sewer to choke up, stop up, or otherwise be rendered inoperative or damaged in whole or part is hereby declared to be a nuisance.
- H. *Vehicles hauling garbage, swill, or other offensive matter.* The transportation of garbage, swill, ashes, cinders, or other loose material in any of the streets of the city on a vehicle other than in a good and substantially tight containment of the waste or matter thereon, so that no portion of such waste, matter or other loose material shall be scattered or thrown into the street, or hauling garbage, swill, or other offensive material in a vehicle which does not have the substantially tight containment thereon and closely covered with sufficient covering, so closely fitted as to prevent the escape or flying about of any of the contents, matter or effluvia therefrom is hereby declared to be a nuisance.
- I. *Ponds or pools of unwholesome water.* Creating or allowing the existence upon any property of a pond or pool or container of unwholesome, impure, or offensive water or water which is conducive to the breeding of mosquitoes, is hereby declared to be a nuisance.
- J. *Impure or unwholesome wells or cisterns.* Allowing the existence of any well or cistern to exist upon any property whenever a chemical or bacteriological analysis shows that the water of the well or cistern is impure or unwholesome is hereby declared to be a nuisance.
- K. *Noise nuisances.*
- 1) Any unreasonably loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance.
  - 2) Any noise of such character, intensity, and continued duration which substantially interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities is hereby declared to be a nuisance.



- 3) The following acts, among others, are declared to be nuisances, but such enumerations shall not be deemed to be exclusive:
- a) *Musical instruments.* The playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 11:00 a.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort, or repose of persons of ordinary sensibilities in any dwelling, hotel, or other type of residence.
  - b) *Loudspeakers and amplifiers.* The use of any stationary loudspeaker or amplifier of such intensity as to annoy and disturb persons of ordinary sensibilities in the immediate vicinity thereof; the use of any stationary loudspeaker or amplifier operated on any weekday between the hours of 11:30 p.m. and 7:00 a.m., or at any time on Sunday.
  - c) *Exhaust without mufflers.* The discharge into the open air of the exhaust of any vehicle combustion engine, motor vehicle or boat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
  - d) *Devices operated by compressed air.* The use of any mechanical device operated by compressed air, unless the noise to be created is effectively muffled and reduced.
  - e) *Construction work.* The erection, including excavation, demolition, alteration, or repair work, of any building other than between the hours of 7:00 a.m. and 10:00 p.m., Monday through Saturday, except in case of urgent necessity in the interest of public safety and convenience, and then only by permission from the code official in time the emergency or public safety interest exists.
  - f) *Near schools and hospitals.* The creation of any excessive noise on any street adjacent to any school or institution of learning while such school or institution of learning is in session, or adjacent to any hospital, which unreasonably interferes with the working of such institutions, provided conspicuous signs are displayed in such manner indicating that the street is a school or hospital street.
  - g) *Peddlers, hawkers, etc.* The raucous shouting and crying of peddlers, hawkers, and vendors, which disturbs the peace and quiet of the neighborhood.
  - h) *Use of drums, loudspeakers, horns, sirens, etc., to attract attention.* The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by the creation of noise to any performance, show, or sale of merchandise. It is an affirmative defense that the action is preapproved by the city manager or designee of the Town.
  - i) The creation of unreasonably loud, disturbing or unnecessary noises in connection with the loading or unloading of any vehicle is prohibited on any premises in a residential district or within a 500-foot radius from any area or property which is zoned for residential use, except during the following days and times only:



(1) Monday through Friday: 7:00 a.m.—7:00 p.m.

(2) Saturdays, Sundays and holidays: 10:00 a.m.—5:00 p.m.

*Section [A] 111 Board of appeals; the International Property Maintenance Code has been changed in its entirety to read as follows:*

**111.1. General.** There is hereby created a board of appeals (the "board of appeals"), consisting of the members of the board of adjustment appointed by the city council pursuant to Appendix A, Article XXIV of the Code of Ordinances of the Town of Addison. Accordingly, the number of members of the board of appeals shall be equal to the number of members of the said board of adjustment.

Appointment to (including the filling of a vacancy), removal from, and the terms (including term limits) of the members of the board of appeals shall be the same as for members of the board of adjustment. Four (4) members of the board of appeals (including, in the absence of one or more regular members, alternate members) shall constitute a quorum for the conduct of business of the board of appeals, and any action of the board of appeals shall require at least four (4) affirmative votes to be adopted or passed.

**111.2. Limitations on authority.** An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

**111.3. Powers of the board of appeals.** The board of appeals has all of the following powers and authority:

**111.3.1.** To hear and decide appeals of orders, decisions or determinations made by the code official to the application and interpretation of the code.

**111.3.2.** To hear requests for the use of a material or method of construction not prescribed by the code and to authorize the use when, in the board of appeals' judgment, the material or method of construction is at least equivalent to that prescribed.

**111.3.3.** To hear complaints from the code official arising against any person, firm, or corporation registered by the Town under or related to chapter 34 of the Code of Ordinances of the Town, and shall have the power after hearing, to revoke or suspend said registration for the following reasons:

a) Chronic violation of the code;

b) Misrepresentation of material facts in obtaining said license or renewal thereof;

- c) Chronic failure to secure permits, inspections, or approvals as required by the code; or
- d) Use of said registration to obtain a permit for another person, firm or corporation.

**111.4. Rules and procedures.** The board of appeals is authorized to establish policies and procedures necessary to carry out its duties.

**111.5. Chairperson.** The board of appeals shall annually select one of its members to serve as chairperson.

**111.6. Disqualification of member.** A member of the of board of appeals shall not hear an appeal in which that member has a personal interest, professional or financial interest or in any other instance which would be in violation of law.

**111.7. Secretary.** The City Manager or the City Manager's designee, including the Director of Development Services, shall designate a qualified clerk to serve as secretary to the board of appeals. The secretary shall file a detailed record of all proceedings in the office of the City Secretary.

**111.8. Appeal process.**

***111.8.1. Application.*** The application for appeal shall be filed on a form obtained from the building official within 20 days after the notice was served.

***111.8.2. Notice of meeting.*** The board of appeals shall meet upon notice from the chairperson or the City Manager or the City Manager's designee, including the director of development services.

***111.8.3. Open hearing.*** Except as allowed by State law, all meetings of the board of appeals and hearings before the board of appeals shall be open to the public. At a hearing of the board of appeals pursuant to this appeal process, the appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

***111.8.4. Procedure.*** The board of appeals shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall provide that only relevant information be received.

***111.8.5. Postponed hearing.*** A hearing by the board of appeals shall not be conducted when a quorum of the board of appeals is not present to hear the appeal.

***111.8.6. Board decision.*** Any action to reverse a decision of the code official shall require a majority vote of the board.

***111.8.7. Resolution.*** The decision of the board of appeals shall be by resolution or by motion recorded in the minutes of the board of appeals. Certified copies of the same shall be furnished

to the appellant and to the building official.

**111.9. Administration.** The code official shall take immediate action in accordance with the decision of the board of appeals.

*Section [A] 112.4 Stop work orders; the International Property Maintenance Code has been amended by amending it to read as follows:*

**[A] 112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

*Section 202 General Definitions; the International Property Maintenance Code has been amended by adding a new definition "Nuisance" to read as follows:*

**Nuisance.** A nuisance shall mean any condition or occurrence which is dangerous to human life or health, an unsafe structure, unsafe equipment or an occurrence which renders the ground, the water, the air or food a hazard or injury to human life or health, or that is offensive to the senses, or that is or threatens to become detrimental to the public health is and shall constitute a nuisance.

*Section 302.4 Weeds; the International Property Maintenance Code has been amended by amending it to read as follows:*

**302.4 Weeds.** All premises and exterior property shall be maintained free from weeds or plant growth in excess of six (6) inches for residential property and eight (8) inches for non-residential property. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

*Section 304.14 Insect screens; the International Property Maintenance Code has been amended by amending it to read as follows:*

**304.14 Insect screens.** Every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

**Exception:** Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

*Section 602.3 Heat supply; the International Property Maintenance Code has been amended by removing the seasonal time requirement, removing the two exceptions and amending it to read as*

*follows:*

**602.3 Heat supply.** Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, is required to provide the necessary means to maintain a minimum air temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

**Section 602.4 Occupiable work spaces;** *the International Property Maintenance Code has been amended by removing the seasonal time requirement amending it to read as follows:*

**602.4 Occupiable work spaces.** Indoor occupiable work spaces shall be required to provide the necessary means to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

**Exceptions:**

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

**Sections 34-222 through 34-230 reserved.**

**SECTION 3. Penalty Provision.** Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of Two Hundred Fifty Dollars (\$250.00) per day and not to exceed Two Thousand Dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

**SECTION 4. Savings/Repealing Clause.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal 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. Any remaining portion of conflicting ordinances shall remain in full force and effect.

**SECTION 5. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison 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 6.** Effective Date. This Ordinance shall become effective June 1, 2020.

**DULY PASSED AND ADOPTED** by the City Council of the Town of Addison, Texas, on this **28<sup>th</sup>** day of **APRIL 2020**.

**TOWN OF ADDISON, TEXAS**

\_\_\_\_\_  
Joe Chow, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Irma Parker, City Secretary

\_\_\_\_\_  
Brenda N. McDonald, City Attorney