

ORDINANCE NO. 2018-

AN ORDINANCE AMENDING CHAPTER 54 OF THE CODE OF ORDINANCES OF THE CITY OF LEAGUE CITY ENTITLED "HEAL AND SANITATION" BY AMENDING SECTION 54-32 TO PROHIBIT PROPERTY CONDITIONS THAT CAUSE PEST INFESTATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEAGUE CITY, TEXAS, as follows:

Section 1. That the Code of Ordinances is hereby amended to amend Section 54-32 to read as follows:

Sec. 54-32. -Pest Infestation.

(a) Definitions:

- a. "Infestation" is the presence of a large number of pests in a structure that causes or has the potential to cause damage and/or the spreading of disease.
- b. "Pest" is an insect or animal, including but not limited to bees, bats, and rodents.

(b) Infestation Prohibited. Structures shall be kept free from all infestations. Structures in which an infestation is found shall be promptly exterminated in a way that will not be injurious to human health.

(c) Owner. The owner of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.

(d) Single Occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for pest elimination on the premises.

(e) Multiple Occupancy. The owner of structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and exterior property. If the infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for pest elimination.

(f) Occupant. The occupant of any structure shall be responsible for the keeping the structure free from infestation, except for situations where the infestation is caused by defects in the structure, in which case the owner shall be responsible for pest elimination.

Section 2. Savings. All rights and remedies which have accrued in favor of the City under this Ordinance and amendments thereto shall be and are preserved for the benefit of the City.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid, unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repealer. All ordinances and parts of ordinances in conflict herewith are hereby repealed but only to the extent of such conflict.

Section 5. Codification. It is the intent of the City Council of the City of League City, Texas, that the provisions of this Ordinance shall be codified in the City's official Code of Ordinances as provided hereinabove.

Section 6. Publication and Effective Date. The City Secretary shall cause this Ordinance, or its caption, to be published in the official newspaper of the City of League City, upon passage of such Ordinance. The Ordinance shall become effective ten (10) days after its passage.

PASSED first reading the ____ day of _____, 2018.

PASSED second reading the ____ day of _____, 2018.

PASSED AND ADOPTED the ____ day of _____, 2018.

PAT HALLISEY
Mayor

ATTEST:

DIANA M. STAPP
City Secretary

APPROVED AS TO FORM:

NGHIEM V. DOAN
City Attorney