

ARTICLE I. IN GENERAL

Secs. 11-1—11-15. **Reserved.**

ARTICLE II. HEALTH OFFICER

Sec. 11-16. **Office created; appointment; term; duties.**

Pursuant to the provisions of V.T.C.A., Health and Safety Code ch. 121, there is hereby created the position of public health authority, to be known as the Health officer. The health officer shall be appointed by the city council for a term of two years. He may be appointed to successive terms and shall serve until his successor takes office. The health officer shall perform the duties prescribed by state law and the provisions of this Code. (Code 1984, § 11-1)

Cross reference—Officers and employees, § 2-11 et seq.

State law reference—Health authorities, V.T.C.A., Health and Safety Code § 121.021 et seq.

Secs. 11-17-11-45. **Reserved.**

ARTICLE III. LOT CLEARANCE*

Sec. 11-46. **Prohibited accumulations.**

It shall be unlawful for an owner of any lot or parcel of ground within the city to fail to keep the property owned by him free from stagnant water, weeds and grass in excess of ten inches in height, rubbish, garbage, brush, trash or any other objectionable, unsightly or insanitary matter of whatsoever nature, or to fail to keep the sidewalks in front of his property free and clear from weeds and grass in excess of ten inches in height from the line of such property to the established curbline next adjacent thereto, or to fail to fill up, drain or regrade any lots, ground or yards or any other property owned by him which shall be unwholesome or have stagnant water therein, or which, from any other cause, is in such condition

*Cross references—Garbage and trash, ch. 10; abandoned vehicles, § 13-71 et seq.

State law reference—Municipal regulation of sanitation, V.T.C.A., Health and Safety Code § 342.001 et seq.

as to be liable to produce disease, or to fail to keep any house, building, establishment, lot, yard or ground owned by him at all times free from filth, carrion or impure or unwholesome matter of any kind.

(Ord. of 6-10-80, § 1-1; Code 1984, § 11-46)

State law reference—Authority for above section, V.T.C.A., Health and Safety Code § 342.001 et seq.

Sec. 11-47. **Notice of violation—Service.**

(a) When any violation of this article is found to exist, a notice by certified letter with a request for a return signature will be addressed to the owner of the property in question. If the address of the property owner is unknown, the notice shall be given by publication two times within ten days in a local, daily newspaper of general circulation.

(b) Annual notice may be given to property owners, as provided in subsection (a) of this section, prior to the grass-growing season. Upon the giving of the annual notice, no further notice shall be required pursuant to this article as it pertains to grass, weeds or brush.

(Ord. of 6-10-80, § 1-2; Code 1984, § 11-47)

Sec. 11-48. **Same-Contents.**

The notice of violation required by this article shall contain the following statements:

- (1) The citizens of the city are proud of their city and ask that all cooperate in keeping it clean and free from grass, brush and weeds and other prohibited accumulations.
- (2) You are required to maintain your property so as to comply with chapter 11, article III of the Code of Ordinances, City of Cisco.
- (3) In the event you fail to do so, the city will enter upon your property and mow or have it mowed at 30-day intervals during such annual growing season.
- (4) You have ten days from the date of this notice to correct the violation.
- (5) Prohibited growths and accumulations are a breeding ground for rats and mice, and are a source of fuel for many fires. Please help us clean up the city.

(6) Attached you will find a copy of chapter 11, article III, of the Code of Ordinances, City of Cisco. (Ord. of 6-10-80, § 1-4; Code 1984, § 11-48)

State law reference-Notice, V.T.C.A., Health and Safety Code § 342.006.

Sec. 11-49. Action by city.

In addition to court action, the city may, if the owner fails to comply with the notice provisions of this article, enter upon the property and remove the prohibited accumulation or mow the property at any time or at 30-day intervals during the annual growing season. (Ord. of 6-10-80, § 1-3; Code 1984, § 11-49)

State law reference—Work or improvements by municipality, V.T.C.A., Health and Safety Code § 342.006.

Sec. 11-50. Assessment of city's expenses, billing.

Expenses incident to the action taken by the city to correct any condition coming under the provisions of this article, which includes a service charge to cover administrative costs, plus a penalty charge of \$10.00, shall be assessed against the owners of all outstanding interests in the lot or parcel of land involved. An itemized bill of such costs shall be mailed by the city to each such owner. (Ord. of 6-10-80, § 1-5; Code 1984, § 11-50)

State law reference—Assessment of expenses, V.T.C.A., Health and Safety Code § 342.007.

Sec. 11-51. City's expenses declared a lien; recovery.

If the bill for the city's expenses in correcting any condition coming under the provisions of this article, including administrative and penalty charges, shall remain unpaid for a period of 30 days after the date of the mailing the bill required by section 11-50, the mayor, health officer or city official designated by the mayor shall file a statement of the bill, the reasons therefor, the name of the owner, if known, and the legal description of the property, with the county clerk. From the date of such filing, the city shall have a lien on the lot or parcel upon which such expenses are incurred second only to tax liens and liens for street improvements. The amount of such debt shall accu-

mulate interest at the rate of ten percent per annum from the date of payment by the city. For any such debt and interest, suit may be instituted and recovery and foreclosure had in the name of the city. In such suits the aforementioned statement, or certified copy thereof, shall be deemed prima facie proof of the debt and interest thereon. (Ord. of 6-10-80, § 1-6; Code 1984, § 11-51)

State law reference-Lien, V.T.C.A., Health and Safety Code § 342.007.

Sec. 11-52. Violations; penalty.

Any person having supervision or control of any lot, tract, parcel of land or portion thereof, failing to comply with the provisions of this article shall be subject to the penalty prescribed in section 1-11. It is specifically provided that corporations shall have criminal exposure under this article. The failure of any corporation, partnership or association of persons to comply with this article shall render the president, vice-president, local manager, partner, local agent or associate, heir or devisee liable to the penalty prescribed by this Code. (Code 1984, § 11-52)

State law reference-Violation of ordinance, V.T.C.A., Health and Safety Code § 342.005.