

ORDINANCE NO. 5435

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, AMENDING THE CODE OF ORDINANCES AT CHAPTER 13 “NUISANCES,” ARTICLE VII “PREMISES MAINTENANCE,” PART B “DANGEROUS AND UNSAFE STRUCTURES”, SECTION 13-162 “ABROGATION,”; PROVIDING SEVERABILITY, REPEALER AND SAVINGS CLAUSES; PROVIDING AN EFFECTIVE DATE; AND FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS ADOPTED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City of Denison (hereinafter referred to as “City”) is a Home Rule Municipality, acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City Council of the City (the “City Council”) adopted Chapter 13 of the Code of Ordinances; and

WHEREAS, the City Council has investigated and determined that it is in the best interest of the City to amend Chapter 13, Article III, Section 13-162, to clarify the current powers and jurisdiction of the City’s municipal court of record; and

WHEREAS, after due deliberations and consideration, the City Council has concluded that the adoption of this Ordinance is in the best interests of the City, and the public health, safety, and welfare of its citizens.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS:

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Amendment Article III Section 13-162 Abrogation. The Code of Ordinances of the City of Denison, Texas be, and is hereby, amended at Chapter 13 “Nuisances,” Article VII “Premises Maintenance,” Part B “Dangerous and Unsafe Structures”, Section 13-162 “Abrogation” as follows, with additions shown in underscore and deletions shown in strikethrough:

Sec. 13-162. Abrogation.

The provisions of this article shall not be deemed to repeal by implication any provisions of the fire department code, the building code or any other ordinance of the city, and the adoption hereof shall not be deemed to affect or diminish the power, jurisdiction or authority of any court, judge, officer or employee of the city to condemn any building or structure erected or maintained in violation of any provision of the Texas Local Government Code, including but not limited

Chapters 54 and 214, fire prevention ordinances, the building code, the Code of Ordinances or any other ordinance of the city.

SECTION 3. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Denison 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 or invalid.

SECTION 4. Savings/Repealing Clause. Chapter 2, “Administration”, Article VIII, “Municipal Court; Court Funds and Fees” of the Code of Ordinances of the City of Denison shall remain in full force and effect, does not conflict with Chapter 13 “Nuisances” of the Code of Ordinances of the City of Denison and is not amended by this ordinance. 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 ordinances, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 5. Effective Date. This Ordinance shall become effective from and after its date of passage and approval.

SECTION 6. Open Meeting. That it is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law, and that public notice of the time, place, and purpose of said meeting was given all as required by Section 551.041, Texas Government Code.

AND IT IS SO ORDERED, PASSED AND APPROVED at the regular meeting held on February 2, 2026.



ROBERT CRAWLEY, MAYOR

ATTEST:


Christine Wallentine, City Clerk