

Denton passes bulk of code

Rules deal with buildings' exteriors

07:11 AM CST on Wednesday, March 4, 2009

By Lowell Brown / Staff Writer

The Denton City Council on Tuesday unanimously passed the first 12 articles of a new property maintenance code -- a mix of fresh and existing rules for how properties in the city should look.

The articles largely deal with properties' outward state. A vote is expected within months on the last two proposed articles, which would cover the inside of buildings.

"This has been a good project so far; we've had lots of meetings," said council member Chris Watts, chairman of the council's property maintenance committee. "What I'm most proud of is that it's been citizen-driven."

The new code grew out of about 30 meetings of the council committee and its nine-member advisory panel.

Officials asked for public feedback throughout the months-long process, hoping to avoid the contention that doomed a 2006 property code review.

No one from the public asked to speak on the code before the vote, but one member of the council's advisory panel submitted written comments urging approval. Karen DeVinney, who is also a leader in the Denton Neighborhood Alliance, a consortium of neighborhood groups, said the code represented a compromise among people with a "wide range of viewpoints."

The code gathers rules now sprinkled throughout various city ordinances and adds some new regulations. Among the changes, it defines a "chronic offender" -- someone with three or more violations at a single property in two years -- to allow for tougher prosecution.

Other changes include:

- * barring auto-repair shops from storing vehicles for more than 120 days;
- * banning the use of temporary carports, except at car dealerships;
- * extending from seven to 10 days the amount of time property owners have to fix a violation before a re-inspection and possible citation; and
- * adding native grasses to the defenses from prosecution under the grass and weeds statute.

The code also overrides a 2007 city law that allowed fines for property owners who let tree limbs hang lower than 15 feet above a public street. The prior code allowed limbs to hang as low as 12 feet over a street.

Critics said the 2007 law -- designed to ensure easy passage for fire trucks and other large vehicles -- forced people to butcher their trees. Now, the code will allow limbs to hang no lower than 13 1/2 feet above a street, 12 feet above an alley and 7 feet above a sidewalk.

City officials still plan to add a limited grandfather clause to the code to address some property owners' fears that they would be forced to make expensive repairs or additions to structures that were legally built under past rules. Officials are also still considering a rental registration and inspection program -- one of a collection of ideas that drew stiff opposition in 2006.

City officials say the rental inspection program could be another tool to protect tenants from rundown housing. Many property managers strongly oppose the program and the related fees, saying Denton has too many rental properties and too few inspectors to make it work.

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